

**WILLMAR CITY COUNCIL MEETING
MONDAY, SEPTEMBER 17, 2012, 7:00 P.M.
COUNCIL CHAMBERS, WILLMAR MUNICIPAL UTILITIES
700 WEST LITCHFIELD AVENUE, WILLMAR, MINNESOTA**

AGENDA

1. Call Meeting to Order
2. Roll Call
3. Pledge of Allegiance
4. Proposed Additions or Deletions to Agenda
5. Consent Items:
 Approve: A. City Council Minutes of September 4, 2012
 B. City Council Work Session Minutes of September 10, 2012
 C. Municipal Utilities Commission Minutes of September 10, 2012
 D. Mayoral Appointment – Cassie Akerson to Police Civil Service Commission
 E. Planning Commission Minutes for September 12, 2012
 F. Accounts Payable through September 12, 2012
 Accept: G. Building Inspection Report for August, 2012
6. Items Removed from Consent Agenda
7. Willmar City Council Open Forum
8. Finance Committee Report for September 10, 2012
 Consent Items: A. Consideration of West Central Industries Conduit Financing
 B. Local Option Sales Tax Notification/Ordinance
9. Public Works/Safety Committee Report for September 11, 2012
 Consent Items: A. Consideration of Engineering/Surveying Services
 B. Consideration of Interim Engineering Services
10. Community Development Committee Report for September 13, 2012
11. Consideration of Ordinance Amending City Code Chapter 4, Animals
12. Consideration of Ordinance Adopting Regulations to Govern Illicit Discharge
13. Consideration of Ordinance Amending the Willmar City Charter
14. Consideration of Final Plat: Valley View Court Second Addition
15. Announcement of Council Committee Meeting Dates
16. Miscellany:
 A.
 B.
 C.
17. Adjourn

WILLMAR CITY COUNCIL PROCEEDINGS
COUNCIL CHAMBERS
WILLMAR MUNICIPAL UTILITIES BUILDING
WILLMAR, MINNESOTA

September 4, 2012
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Frank Yanish. Members present on a roll call were Mayor Yanish, Council Members Doug Reese, Ron Christianson, Bruce DeBlieck, Denis Anderson, Rick Fagerlie, Jim Dokken, and Tim Johnson; Present 8, Absent 1 – Council Member Steve Ahmann was excused from the meeting.

Also present were City Administrator Charlene Stevens, Police Chief David Wyffels, Public Works Director Holly Wilson, Finance Director Steve Okins, Planning and Development Services Director Bruce Peterson, City Attorney Robert Scott, and City Clerk Kevin Halliday.

Additions to the Agenda included an introduction of Willmar Municipal Utilities General Manager Wes Hompe by Municipal Utilities Commissioner Jerry Gesch. Mr. Gesch informed the Mayor and Council that Mr. Hompe has 22 years of experience and was one of 23 applicants considered. The Utilities Commission was pleased to hire him with his knowledge of the City. General Manager Hompe said the Willmar Municipal Utilities is facing energy changes and staff retirements, and he is hopeful to move forward in the right direction.

Council Member Christianson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of August 20, Rice Hospital Board Minutes of August 15, Planning Commission Minutes of August 22, Municipal Utilities Commission Minutes and Special Session Minutes of August 27, Exempt Permit Applications for Let's Go Fishing of Minnesota and Knights of Columbus Council 2764, Accounts Payable through August 29, Willmar Design Center Minutes of June 13 and August 8, Kandiyohi Area Transit Board Operations Minutes of July 24, and Community Education and Recreation Joint Powers Board Minutes of August 24, 2012. Council Member Anderson seconded the motion, which carried.

At 7:07 p.m. Mayor Yanish opened a public hearing on special assessments for unpaid weed/grass mowing services. City Clerk Halliday presented to the Mayor and Council a list of properties which have unpaid weed and/or grass charges and was recommending these charges be certified against the real property. Mr. Bill Graves was present and stated that he had purchased property at 609 Litchfield Avenue SE in November, 2011, after the mowing charges were incurred and felt it was not his responsibility, but that of the previous owner. Mr. Halliday explained the process noting that in this case the mailed notices were all returned "unable to forward."

Council Member DeBlieck asked City Attorney Scott for an opinion on assessing a charge that occurred under someone else's ownership. Mr. Scott said it's incumbent upon anyone buying property to make the proper inquiries to the City and imposing the assessment is legal. Upon hearing all those who wished to be heard, Mayor Yanish closed the hearing at 7:12 p.m.

Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member Anderson, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 1

WHEREAS, Section 9-41 of the Willmar City Code states that such unpaid weed or grass mowing bills represent a lien of the real property receiving mowing services; and

WHEREAS, the City Council of the City of Willmar has offered the owner his right to request an appearance before the Council to make objections to payment;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the amount of the unpaid weed/grass mowing charges totaling \$2,270.33 be certified to the County Auditor to be extended on the tax rolls of such real property in the same manner as other taxes for collecting in 2013 and collected by the County Treasurer, and paid to the City Clerk-Treasurer along with other taxes; and

BE IT FURTHER RESOLVED that the unpaid weed or grass charges be certified against the real property as follows: (For complete list of parcels, see City Council proceedings file dated September 6, 2012, located in the City Clerk's Office)

Dated this 4th day of September, 2012.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

At 7:23 p.m. Mayor Yanish opened the hearing on special assessments for unpaid garbage removal charges. City Clerk Halliday presented to the Mayor and Council a list of properties which have unpaid garbage removal charges and was recommending these charges be certified against the real property. Mr. Halliday explained that one property owner paid the charge and only one property remained. There being no one present to speak for or against the special assessment, Mayor Yanish closed the hearing at 7:24 p.m.

Resolution No. 2 was introduced by Council Member Anderson, seconded by Council Member Reese, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 2

WHEREAS, Section 9-3 of the Willmar City Code concerning the removal of nuisance conditions by the City. The cost of such removal or remedial measures shall be assessed by action of the City Council against the property, under such terms and conditions as the City Council may require.

WHEREAS, the City Council of the City of Willmar has offered the owner his right to request an appearance before the Council to make objections to payment;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the amount of the unpaid garbage removal charges totaling \$379.26 be certified to the County Auditor to be extended on the tax rolls of such real property in the same manner as other taxes for collecting in 2013 and collected by the County Treasurer, and paid to the City Clerk-Treasurer along with other taxes; and

BE IT FURTHER RESOLVED that the unpaid garbage removal charges be certified against the real property as follows: (For complete list of parcels, see City Council proceedings file dated September 6, 2012, located in the City Clerk's Office)

Dated this 4th day of September, 2012.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Mayor Yanish recognized Brad Hanson, Willmar Ambulance Service Manager, who presented information on the "Heart Safe Cities" program. The program has assisted businesses and churches in the use of automated external defibrillators (AEDs). Mr. Hanson indicated that 38 AEDs have been placed throughout the City in addition to 10 in Law Enforcement vehicles, two at the Fire Department, and one at the Rescue Squad. Carrie Yungerberg, Wendy Ulferts and June Boyd were also present and worked on the program designed to promote intervention of cardiac arrest, assist businesses in CPR and AED placement. Bill Snoke, Director of Emergency Medical Services for Allina Health, presented to the City of Willmar a "Heart Safe Community" award.

City Clerk Halliday presented the request from Hoja Restaurant for a 3.2 percent Malt Liquor License. It was noted the restaurant is in the former Wendy's location and that the manager Yang Li had a clear record. Following discussion, Council Reese moved to approve the Hoja Restaurant 3.2 percent Malt Liquor License as presented. Council Member Anderson seconded the motion which carried on a roll call vote of Ayes 7, Noes 0.

The Finance Committee Report for August 27, 2012, was presented to the Mayor and Council by Council Member Anderson. There were seven items for Council consideration.

Item No. 1 Chair Anderson acknowledged that no one was present to address comments to the Committee.

Item No. 2 City Clerk Halliday explained to the Committee that the U.S. Treasury will be phasing out Fannie Mae and Freddie Mac instruments as viable options for local government investment purposes. This will prevent the City from complying with the 40 percent diversification rule as stated in the Investment Policy. As the U.S. Government continues to overhaul housing lending systems, diversification options will dwindle. In the City's current Investment Policy, Section 11.0 Diversification, it states:

"...The City will diversify its investments by security type and institution. No more than 40 percent of the City's total deposits will be invested *in a single security type* or with a single financial institution or broker/dealer on the day of purchase..."

It was Staff's recommendation that the 40 percent limitation by institution or broker/dealer remain in the policy but that the 40 percent limitation by single security type be removed due to the shortage of investment options. It was noted that diversification by security type will still be pursued to the extent possible.

The Committee was recommending the Council introduce a Resolution amending the Investment Policy as presented. Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 3

BE IT RESOLVED by the Willmar City Council to amend the City of Willmar Investment Policy, Section 11.0 Diversification, as follows:

"... The City will diversify its investments by security type and institution. No more than 40 percent of the City's total deposits will be invested ~~in a single security type~~ or with a single financial institution or broker/dealer on the day of purchase"

Dated this 4th day of September, 2012.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Committee also reviewed the Investment Portfolio Year-End Balances over the last 10 years as well as interest and dividends earned each year. This matter was for information only.

Item No. 3 Steve Renquist, EDC Executive Director, reviewed the Economic Development Commission 2013 Budget with the Committee. Anticipated revenue for 2013 includes the County Tax Levy of \$455,000, which has not changed in four years, plus \$11,603 in other miscellaneous revenue. The EDC is also proposing to utilize \$40,104 from the Agency's reserves as a funding source. The overall budgeted expenditures remain flat for 2013 totaling \$506,707. Mr. Renquist stated that any salary increase for the EDC will be the blended rate of approved City and County salary increases.

The Committee was recommending the Council approve the EDC 2013 Budget and Tax Levy as proposed. Council Member Anderson moved to approve the recommendation of the Finance Committee, with Council Member Fagerlie seconding the motion, which carried.

Item No. 4 Staff reviewed with the Committee actions taken by the City since it began experiencing Local Government Aid reductions in 2009. Since 2008, staffing has been reduced by 7.2 FTEs across the organization. In addition, there are currently five vacant positions for which the City is in the process of filling two – Wastewater Treatment Operator and Fire Chief/Fire Marshal.

Since 2009, the City has deferred \$600,000 in capital expenditures. In 2012 the City analyzed its fleet and reduced the number of vehicles and equipment by 15 resulting in a one-time savings of \$281,652. The City faces many challenges with its aging infrastructure and is now trying to rebuild a five-year Capital Improvement Program beginning in 2013 with a proposal to transfer \$1.8 million from the General Fund to Capital Reserve. Also in 2013, the City has proposed reductions in overtime for Police and Public Works, some reductions in seasonal employees and in funding to community groups to offset other increased costs. This matter was for information only.

Item No. 5 Staff reviewed with the Committee the tax levy included in the Mayor's proposed 2013 Budget. Under the Mayor's proposal, the property tax levy would increase to \$4,232,734 with the entire levy increase of \$240,000 designated for public works infrastructure. Information was provided on the impact \$240,000 will have on street projects. It was noted that the effect on property owners would equate to an approximate increase of \$25.47 per year on a \$115,000 home.

Following discussion, the Committee was recommending the Council pass a resolution setting the preliminary 2013 City of Willmar Property Tax Levy at \$4,232,734 and scheduling the public hearing on the 2013 Proposed Budget for December 3, 2012. Resolution No. 4 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 4

BE IT RESOLVED that the Mayor of the City of Willmar submitted a preliminary levy request of \$4,232,734;

BE IT RESOLVED by the City Council of the City of Willmar, Kandiyohi County, Minnesota, that the following sums of money be preliminary levied for the current year collectable in 2013, upon the taxable property in said City of Willmar for the following purposes:

General Fund	<u>\$4,232,734</u>
	\$4,232,734

BE IT RESOLVED, that there is a sufficient sum of money in the Debt Service Funds of the City, to pay principal and interest in 2013 on all outstanding bond issues, and the deferred annual tax levies previously certified to the County Auditor are hereby canceled;

FURTHER, pursuant to a request by the Housing and Redevelopment Authority in and for the City of Willmar, for authorization to levy a special tax to be included as part of its fiscal year 2012 - 2013 Budget;

FURTHER, that the City Council of the City of Willmar, Minnesota, hereby authorizes the Housing and Redevelopment Authority to levy a special tax in the amount of \$170,000 pursuant to the powers vested under the Minnesota Statutes; and

BE IT FURTHER RESOLVED that a public hearing shall be scheduled for the 2013 proposed budget on December 3, 2012.

The City Clerk is hereby instructed to transmit a certified copy of this Resolution to the County Auditor of Kandiyohi County, Minnesota.

Dated this 4th day of September, 2012.

/s/ Frank Yanish

MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Item No. 6 The Committee reviewed the July 31, 2012, Rice Trust Report. This matter was for information only.

Item No. 7 The Committee reviewed agenda items scheduled for September 10, 2012, Work Session/Finance Committee meeting which included discussion on Community Groups/Capital Improvement Program and West Central Industries request for Conduit Financing. This matter was for information only.

The Finance Committee Report for August 27, 2012, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Fagerlie, and carried.

The Public Works/Safety Committee Report for August 28, 2012, was presented to the Mayor and Council by Council Member Reese. There were four items for Council consideration.

Item No. 1 Jared Voge, Bolton and Menk, presented the results of the August 9, 2012, bid opening for Airport improvements that included crack seal and turf re-establishment. Only one bid was received in the amount of \$223,495, although there were multiple plan holders for the project. The Engineer's Estimate is \$190,500. Mr. Voge contacted the other plan holders following the bid opening and they indicated that due to time constraints, they were not confident that the work could be completed. Since only one bid was received for the project, Mr. Voge and Public Works Director Wilson recommended that the bid be rejected and the project re-advertised.

Following discussion the Committee was recommending to the Council that bid of Interstate Improvement of Faribault, MN for the airport project be rejected. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member DeBlieck seconding the motion, which carried.

Mr. Voge proposed the project be divided into two bid requests. One being the restoration of the turf runway with seeding and fertilizing; and the other the bituminous crack and joint repair of the runway, taxiways and various areas around the buildings. Proceeding in this manner would allow the project to be completed by May 20, 2013, and presumably the City would receive better bid prices as contractors specializing in one or the other can bid as a general contractor. The improvements are to be funded by

70 percent State monies and 30 percent local funds with \$45,000 budgeted in the 2012 Capital Improvements.

The Committee was recommending the Council approve the plans and specifications for the airport improvements and authorize advertisement for bids as presented. Resolution No. 5 was introduced by Council Member Reese, seconded by Council Member DeBlieck, reviewed by Mayor Yanish, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 5

WHEREAS Bolton and Menk, consulting engineer for the City of Willmar, has presented to the City Council plans and specifications for airport improvements to include crack sealing of the bituminous runway and restoration of the turf runway for the City of Willmar;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bids will be publicly opened and read at 1:00 p.m. on the 20th day of September, 2012, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 4th day of September, 2012.

/s/ Frank Yanish
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 2 Review of the barking dog ordinance was requested to be brought before the Committee. The current ordinance was developed in 2001. A violation exists if the dog habitually barks, bays or howls for at least three minutes with less than one minute of interruption and must be audible outside of the premises. The first and second violation the owner is typically issued a warning and the third time they must appear in court.

The Committee discussed the ordinance briefly and Chief Wyffels stated he will look into it further to see if any other similar ordinances can be found that offer improvements regarding the handling of barking dog issues. Chief Wyffels will bring the findings back before the Committee at a later date. This matter was for information only.

Item No. 3 Public Works Director Wilson presented a draft Illicit Discharge and Connection Storm Water Ordinance for Committee consideration. An ordinance is required by the Minnesota Pollution Control Agency as part of the City's future compliance with the MS4 Permit. The ordinance mostly pertains to discharge into catch basins and the gutter. Staff drafted the proposed ordinance from other examples including one provided from the Minnesota Pollution Control Agency. It was Staff's recommendation to refer the proposed ordinance to the City Attorney for review prior to holding a hearing.

The Committee was recommending that the Council refer the ordinance to the City Attorney for review. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member DeBlieck seconding the motion, which carried.

Item No. 4 The Committee was informed by Staff that the City received an application for a fowl permit from Frank Johannes to keep three chickens at 801 SW 5th Street. Chief Wyffels recommended denying the permit based on issues that have already risen. A citation, prompted by a citizen complaining of noisy roosters at the residence, has been issued. In checking no fowl permit was issued.

The Committee was recommending the Council deny the request for a fowl permit at 801 SW 5th Street. Council Member Reese offered a motion to approve the recommendation of the Public Works/Safety Committee with Council Member DeBlieck seconding the motion, which carried.

The Public Works/Safety Committee Report for August 28, 2012, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Reese, seconded by Council Member Christianson, and carried.

The Labor Relations Committee Report for August 29, 2012, was presented to the Mayor and Council by Council Member Johnson. There were six items for Council consideration.

Item No. 1 There was no one present for public comment.

Item No 2 The Committee meeting went into closed session under Minnesota Statute 13 D.05, subdivision 3 (b) under the attorney/client privilege exception to the Minnesota Open Meeting Law.

Item No 3 A closed session was also held to discuss contract negotiation strategies.

Item No. 4 The meeting was then reopened and City Clerk Halliday and City Assessor Pat Erickson joined the meeting. This matter was for information only.

Item No. 5 Mr. Halliday reviewed the State requirements for conducting property assessments and the work done on alternatives to filling the vacancy. Mr. Halliday stated that a partnership with the County was not viable at this time and he had contacted private appraisers who had indicated that they would not be interested in obtaining the necessary certifications to conduct mass appraisals for the City.

Mr. Halliday recommended that the City post the position internally and try to promote someone within the organization and then not fill that subsequent open position. Mr. Halliday also stated that in 2013, the seasonal clerical position for Assessing would be eliminated.

If promoting from within was not viable, Mr. Halliday stated he would return to the Committee with some further options, such as reductions in services. In response to a question from Chair Ahmann regarding changes in assessing, Ms. Erickson stated that over the years it has become more complex and the desire of citizens to have a better product has increased the demands on staff.

The Committee was recommending the Council approve a promotion within and a restructuring of any subsequent vacancy. Council Member Johnson moved to approve the recommendation of the Labor Relations Committee with Council Member Anderson seconding the motion, which carried.

Item No. 6 City Administrator Stevens distributed a report on overtime to date from the Police, Fire and Public Works Departments as requested by the Chairman Ahmann. In the interest of time, discussion was saved for a future meeting. This matter was for information only.

The Labor Relations Committee Report for August 29, 2012, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Johnson, seconded by Council Member Anderson, and carried.

The Community Development Committee Report for August 30, 2012, was presented to the Mayor and Council by Council Member Dokken. There were five items for Council consideration.

Item No. 1 There were no public comments offered at this meeting.

Item No. 2 The Committee reviewed a memorandum prepared by the City Attorney regarding the regulation of animals in the City. Discussion focused on whether or not chickens should be allowed in residential areas, and on placing limits on the number of animals allowed. It was a consensus

of the Committee that chickens not be allowed in residential areas, but still be allowed in agricultural and industrial areas. Also, that the number of rabbits allowed be reduced to 6 per property and pigeons reduced to 30 per property. It was also agreed that premises currently licensed for chickens will be allowed to retain the chickens until current licenses expire.

The Committee was recommending to the Council that the proposed changes be made to the draft ordinance and that the City Attorney be directed to prepare a new ordinance for hearing. Council Member Dokken moved to approve the recommendation of the Community Development Committee with Council Member DeBlieck seconding the motion, which carried.

Item No. 3 The agenda item, Neighborhood Issues, was deferred pending further research and was for information only.

Item No. 4 It was noted that there was \$6,000 in the proposed 2013 budget to be used by the City to partner in a community clean-up effort. It is anticipated that the City will again work with Lakeland Broadcasting staff to plan for and carry out the event. This matter was for information only.

Item No. 5 The Committee considered the following matters: the City require developers to give assurances to protect taxpayers in projects with City financial participation, the City be able to withhold financial participation if the project reaches a specified level of profitability, and that boards and commissions, and groups or agencies receiving City financial assistance, be required to adopt a conflict of interest policy. The Committee was recommending the Council refer the developer assurance and conflict of interest issues to staff for follow-up. Council Member Dokken moved to approve the recommendation of the Community Development Committee with Council Member Christianson seconding the motion, which carried.

The Committee requested that Staff invite the County Sanitarian to a future meeting.

The Community Development Committee Report for August 30, 2012, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Dokken, seconded by Council Member Christianson, and carried.

The Mayor and Council considered a Preliminary Plat for Mills Second Addition. Planning and Development Services Director Peterson explained the property owned by Mills Properties is proposed for platting so that different parent companies within their corporation can own each parcel. The lot sizes and frontage exceed Zoning Ordinance minimums. Two conditions were placed on the plat per Planning Commission approval regarding a water valve shut off and an access easement agreement. Council Member Anderson offered a motion to approve the Mills Second Addition Preliminary Plat with the conditions as recommended by the Planning Commission. Council Member Dokken seconded the motion, which carried.

The Council considered the nomination of Richard Halterman to the Charter Commission to fill the unexpired term of Bob Bonawitz who resigned August 13, 2012. City Clerk Halliday informed the Mayor and Council that the Charter Commission would like to submit a name to the District Court and has requested a delay in the court petition so that both names could be submitted to the District Court at the same time. Council Member Anderson moved to nominate Richard Halterman to the Charter Commission and direct the City Attorney to delay the petition until after the Charter Commission holds their October meeting. Council Member DeBlieck seconded the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Finance, September 10; Public Works/Safety, September 11; and Community Development, September 13, 2012.

City Administrator Stevens recognized Public Works Director Holly Wilson for her years of services and dedication to the City of Willmar.

Council Member Anderson requested to be excused from the September 17, 2012, Council meeting.

There being no further business to come before the Council, the meeting adjourned at 8:45 p.m. upon motion by Council Member Reese, seconded by Council Member Anderson, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL

CITY COUNCIL WORK SESSION

SEPTEMBER 10, 2012

The Willmar City Council Work Session was called to order in the Willmar Municipal Utilities Auditorium at 4:45 p.m. by Finance Committee Vice-Chair Rick Fagerlie. Those present included Mayor Frank Yanish, Council Members Doug Reese, Ron Christianson, Tim Johnson, Jim Dokken, Steve Ahmann, and Bruce Deblieck. Also present were City Administrator Charlene Stevens, Finance Director Steve Okins, City Clerk Kevin Halliday, Public Works Director Holly Wilson, Planning and Development Services Director Bruce Peterson, Police Chief Dave Wyffels, Community Education and Recreation Director Steve Brisendine, Acting Fire Chief Doug Gilbertson, John Sullivan, Willmar Design Center Treasurer John Christianson, West Central Integration Collaborative Executive Director Charley Leuze, Multi-Cultural Business Center Director Robert Valdez, Meals on Wheels Director Charles Oakes, Willmar Chamber Director Ken Warner, Humane Society Director Bobbie Bauman, Historical Society Director Jill Wohnoutka, Willmar Fests Director Lori Tostenson, Community Marketing Coalition Director Eric Spencer, Going Green Day representatives Jena Hillenbrand and Steve Peterson, West Central Tribune Journalist David Little, and Accounting Supervisor Carol Cunningham.

The purpose of this council work session was to discuss segments of the Mayor's 2013 Proposed Budget.

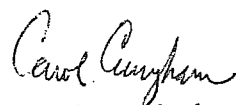
Item 1 – Public Comments. John Sullivan addressed his concerns to the Council regarding an e-mail listing numerous questions that he sent to the Mayor recently, to which he has not yet received a response.

Item 2 - Community Group Funding. City Administrator Stevens presented a comparative report reflecting the community organizations requesting funding from the City of Willmar for 2013 totaling \$169,400, the Mayor's 2013 funding recommendation totaling \$112,500, and the 2012 funding actually provided totaling \$134,500. Organizations that the Mayor has proposed to receive funding in 2013 attended this work session with each providing an overview of their accomplishments and needs.

Item 3 – Capital Improvement 5-Year Program. City Administrator Stevens presented to the Council the proposed 5-Year Capital Improvement Plan for 2013 through 2017. Beginning with 2013, a new process has been instituted with new criteria and goals. It was noted that funding for much of the capital improvements comes from various sources which limit usage to specific projects. Capital improvements proposed for 2013 total \$7,663,245.

There being no further business, the Work Session adjourned at 6:06 p.m. upon motion by Member Christianson, second by Member Ahmann, and which carried.

Respectfully Submitted,



Carol Cunningham
Accounting Supervisor

City of Willmar
2013 Proposed Budget
Community Requests

Accounting Code	Organization	2013 Funding Request	2013 Funding Recommendation	2012 Funding	Comments
101.45428.0812	Community Marketing Coalition	1,500.00	1,500.00	-	Last funded in 2009.
101.45428.0812	Going Green Day	6,500.00	6,000.00	-	Bi-annual request.
101.45428.0812	Humane Society	10,000.00	10,000.00	10,000.00	3rd year of 5 year commitment.
101.45428.0812	Kandiyohi Historical Society	1,000.00	1,000.00	-	New request of \$1,000 per year for 5 years.
101.45428.0812	Southwest Initiative Foundation	10,000.00	-	-	EDC makes contribution on City's behalf.
101.44428.0811	West Central Industries	15,000.00	15,000.00	15,000.00	Supports Meals on Wheels.
101.45428.0812	West Central Integration Collaborative	42,000.00	21,000.00	42,000.00	Supports Cultural Diversity.
101.45428.0812	Willmar Baseball Boosters	14,000.00	-	16,500.00	2012 was last year of commitment.
101.45428.0812	Willmar Design Center	43,400.00	32,000.00	25,000.00	Promotes downtown.
101.45428.0812	Willmar Fests	25,000.00	25,000.00	25,000.00	Annual Funding Request.
101.45428.0812	Willmar Lakes Area Chamber of Commerce	1,000.00	1,000.00	1,000.00	Leadership Perspectives Program
	Totals	169,400.00	112,500.00	134,500.00	
			112,500.00		
			-		
	Reduction from 2012 Funding Levels		22,000.00		

Willmar Design Center

Progress Report – 2011 & 2012

Willmar City Council

September 10, 2012

Mission: “Renewing the heart of the city”

- 1. Activities & Events - Draw 9,000 to 10,000 people /year downtown**
 - a. Becker Market – held on 17 Thursdays during summer
 - b. Bounty of Count – highlighting local foods with fine dining event
 - c. Holiday Celebration
 - d. Minnesota Orchestra concert – May, 2012 – hosted members
 - e. Kaffee Café Kahwa Art Mug Project with Willmar Area Arts council
 - f. Volunteer board meetings monthly – 14 members
 - g. Committee meetings – 5 standing committees – aligned with downtown plan
 - i. Development
 - ii. Infrastructure
 - iii. Design standards & Historic preservation
 - iv. Connections – trails
 - v. Commons Promotion
- 2. Volunteer hours - Approximately 4,000 to 5,000 hours / year**
 - a. Report volunteer hours quarterly
 - b. Equates to 2 or 2 ½ full time people
- 3. Development activities - Raised over \$340,000 in grants**
 - a. Building private/government partnerships
 - b. Willmar Downtown Plan
 - i. Design Gateway to Downtown \$ 4,500
 1. Pay for Adam Arvidson design
 2. Designed to match City of Willmar funds
 - ii. Becker Avenue redesign project \$ 20,000
 1. Complete street – convertible street
 2. Finalist for \$1,000,000 to \$2,000,000 federal grant
 - iii. Becker Market
 1. Healthy foods grants \$ 10,500
 2. Willmar Area Community Foundation \$ 9,500
 - c. MN DEED grants administered through HRA – Federal funds
 - i. Phase 1 – just under \$1,000,000 leveraged to

- about \$1,500,000 investment
- ii. Phase 2 – approximately \$1,100,000
- iii. HRA administers money
- iv. WDC sells the project to encourage investment
- v. 12 Commercial & 18 residential building rehabs in Central Business District
- d. MN Main Street member
 - i. Technical assistance funds - annually \$ 9,500
 - ii. Education and development assistance
- e. Lakeland Hotel development – design grant \$ 20,000
- f. Transportation Grant – State of MN \$160,000
 - i. Bike path to downtown
 - ii. Grant will be issued to City of Willmar
- g. Community Owned Grocery – COG – close to 300 members \$ 52,250
 - i. Agricultural Utilization Research Initiative (AURI)
 - ii. Kandiyohi EDC
 - iii. Food Coop Initiative (FCI)
 - iv. West Central Partnership (WCP)
 - v. Member dues \$200 X 300 \$ 60,000
- 4. Contracts –
 - a. WDC contracts with Beverly Dougherty
 - i. Project coordinator – last 4 years rate \$ 21,600
 - ii. Rent for storage of Becker Market supplies.
 - Refridge, freezer, counters, tables
 - And includes electricity
 - Total \$150 / month \$ 1,800
 - b. Engan & Associates contracted for redesign of Lakeland Hotel. Preparation of assessment of building For development and the design for the 2nd and 3rd floor For any future development use. Funds provided by grants From the Minnesota Housing Partnership and the SW Minnesota Housing Partnership \$ 10,000
 - c. Adam Arvidson – Urban designer \$ 4,500
 - Prepare the design of the Downtown Gateways
 - Paid from WDC funds from MN Main Street technical Assistance funds

WILLMAR DESIGN CENTER

Operating Budget - City of Willmar
2013

	<u>2012 Budget</u>	<u>2013 Budget</u>
Insurance		
Liability Insurance	1,100	1,100
Office Expenses:		
Rent \$150/mos	1,800	1,800
Operating Expenses:		
Project Coordinator Contract	21,600	21,600
Administrative Services	-	2,400
Marketing/Advertising	500	3,500
Grant Writer Fees:	-	5,500
Downtown Flowers:	-	7,500
Total Operating Budget	<u>25,000</u>	<u>43,400</u>

WILLMAR DESIGN CENTER
Operating Budget
2013

	Original 2012 Budget	Original 2013 Budget
Fundraising:		
Fundraising - Becker Market Vendors	2,500	2,500
Fundraising - Becker Market Café	3,500	1,500
Fundraising - Stakeholders	11,942	7,500
Fundraising - Holidaze	6,000	6,000
Bounty of the County	5,000	5,000
General Fundraising	<u>28,942</u>	<u>22,500</u>
Designated Funds and Grants		
MN Main Street - Tech Consulting	<u>6,400</u>	<u>6,400</u>
Total Designated Funds and Grants	<u>6,400</u>	<u>6,400</u>
Total Fundraising, Designated Funds and Grants	<u>35,342</u>	<u>28,900</u>
City of Willmar	25,000	43,400
TOTAL REVENUE	<u><u>60,342</u></u>	<u><u>72,300</u></u>
COMMITTEE BUDGETS:		
Fundraising:		
Becker Market Vendors	2,500	2,500
Becker Market Café	6,442	-
Holidaze	6,000	6,000
Bounty of the County	4,000	4,000
	<u>18,942</u>	<u>12,500</u>
Designated Funds and Grants		
MN Main Street - Tech Consulting	6,400	6,400
Downtown Flowers	-	7,500
	<u>6,400</u>	<u>13,900</u>
Total Fundraising, Designated Funds and Grants	<u>25,342</u>	<u>26,400</u>
Marketing & Publicity		
Advertising	<u>3,940</u>	<u>3,500</u>
Total committee budgets	<u>28,282</u>	<u>29,900</u>
OFFICE OPERATING COSTS:		
Insurance		
Liability Insurance	<u>1,100</u>	<u>1,100</u>
Office Expenses		
Rent (\$150/mo)	1,800	1,800
Phone (\$25/mo)	360	360
	<u>2,160</u>	<u>2,160</u>
Operating		
Project Coordinator Contract	21,600	21,600
Administrative Services	500	7,840
Meetings	1,000	1,000
License and Fees	200	200
Office Supplies	1,000	1,000
Grant Writer Fees	1,500	5,500
Memberships	2,000	2,000
Total Operating Costs	<u>27,800</u>	<u>39,140</u>
TOTAL OPERATING BUDGET	<u><u>60,342</u></u>	<u><u>72,300</u></u>

WILLMAR DESIGN CENTER

Operating Budget
7/27/12 through 8/31/12

	2012 Budget	ACTUAL Year to date 2012	Budget Available
Fundraising:			
Fundraising - Becker Market	6,000	4,382.37	1,617.63
Fundraising - Stakeholders	11,942	13,343.00	(1,401.00)
Fundraising - Holidaze 2011	6,000	200.00	5,800.00
Fundraising - Holidaze 2012	-	-	-
Bounty of the County	5,000	2,953.14	2,046.86
Concert	-	364.76	(364.76)
MN Preservation Awards Banquet	-	-	-
General Fundraising	28,942	21,243.27	7,698.73
Designated Funds and Grants			
MN Main Street - Tech Consulting	6,400	6,000.00	400.00
Lakeland Hotel Project	-	11,000.00	(11,000.00)
West Central Partnership	-	2,837.50	(2,837.50)
WACF Becker Market Grant - 2012	-	3,000.00	(3,000.00)
Total Designated Funds and Grants	6,400	22,837.50	(16,437.50)
Total Fundraising, Designated Funds and Grants	35,342	44,080.77	(8,738.77)
City of Willmar	25,000	19,104.97	5,895.03
TOTAL REVENUE	60,342	63,185.74	(2,843.74)
COMMITTEE BUDGETS:			
Fundraising:			
Becker Market	8,942	4,106.88	4,835.12
Holidaze - 2011	6,000	1,597.72	4,402.28
Holidaze - 2012	-	25.00	(25.00)
Bounty of the County	4,000	1,905.52	2,094.48
Concert	-	424.76	(424.76)
MN Preservation Awards Banquet	-	500.00	(500.00)
	18,942	8,559.88	10,382.12
Designated Funds and Grants			
MN Main Street - Tech Consulting	6,400	6,000.00	400.00
Lakeland Hotel Project	-	9,000.00	(9,000.00)
West Central Partnership	-	2,837.50	(2,837.50)
WACF Becker Market Grant - 2012	-	2,766.56	(2,766.56)
	6,400.00	20,604.06	(14,204.06)
Total Fundraising, Designated Funds and Grants	25,342	29,163.94	(3,821.94)
Marketing & Publicity			
Advertising	3,940	865.25	3,074.75
Total committee budgets	29,282	30,029.19	(747.19)
OFFICE OPERATING COSTS:			
Insurance			
Liability Insurance	1,100	1,054.97	45.03
	1,100	1,054.97	45.03
Office Expenses			
Rent (\$150/mo)	1,800	1,350.00	450.00
Phone (\$25/mo)	360	233.93	126.07
	2,160	1,583.93	576.07
Operating			
Project Coordinator Contract	21,600	16,200.00	5,400.00
Advertising and Promotion	500	-	500.00
Meetings	1,000	1,202.29	(202.29)
License and Fees	200	(33.80)	233.80
Office Supplies	1,000	822.33	177.67
Tree and Flower Expense	-	398.14	(398.14)
Grant Writer Fees	1,500	1,000.00	500.00
Memberships	2,000	-	2,000.00
Total Operating Costs	27,800	19,588.96	8,211.04
TOTAL OPERATING BUDGET	60,342	\$ 52,257.05	\$ 8,084.95

WILLMAR DESIGN CENTER

Operating Budget - City of Willmar
7/27/12 through 8/31/12

	<u>2012 Budget</u>	<u>Request Payment 8/31/2012</u>	<u>ACTUAL Year to date 2012</u>	<u>Budget Available</u>
REVENUE:				
City of Willmar	<u>25,000</u>	<u>1,986.36</u>	<u>19,104.97</u>	<u>5,895.03</u>
Total Revenue	<u><u>25,000</u></u>	<u><u>1,986.36</u></u>	<u><u>19,104.97</u></u>	<u><u>5,895.03</u></u>
EXPENSES:				
Insurance				
Liability Insurance	1,100	-	1,054.97	45.03
Office Expenses:				
Rent \$150/mos	1,800	-	1,350.00	450.00
Operating Expenses:				
Project Coordinator Contract	21,600	1,800.00	16,200.00	5,400.00
Advertising and Promotion	500	186.36	500.00	-
Total Office/Operating Costs	<u>25,000</u>	<u>1,986.36</u>	<u>19,104.97</u>	<u>5,895.03</u>
Total Operating Budget	<u><u>25,000</u></u>	<u><u>1,986.36</u></u>	<u><u>19,104.97</u></u>	<u><u>5,895.03</u></u>



City of Willmar

Proposed Capital Improvement Plan 2013-2017

Presented September 10, 2013

Charlene Stevens, City Administrator

2013 Proposed Budget

Fund Type	Amount
General Operating	\$ 15,090,918*
Capital Improvements	\$ 5,051,245
Special Revenue/Internal	\$ 919,636
Debt Service	\$ 2,456,760
Enterprise (Wastewater)	\$ 8,258,736
Total All Funds	\$ 34,974,785

* Includes a \$1,817,611 transfer for Capital Improvements

Capital Planning 2013-2017

- New process for 2013
- New Criteria for consideration
 - Legal Mandates
 - Maintenance of Existing Assets
 - Sustainability
 - Reduce or Offset Costs
 - Critical Public Safety Needs or Concern
 - Meeting City Council Priorities
- Goal of establishing a five (5) year planning process

3

2013 Review Committee

- Bruce Peterson, Chair, Planning & Development Services Director
- Marv Calvin, Fire Chief
- Steve Okins, Finance Director
- Holly Wilson, Public Works
- Dave Wyffels, Police Chief

4

Capital Improvement Funding

- Bonding (Debt)
- Cash
 - Unspent Reserves
 - Unspent Previous Capital Allocations
- Special Revenues
 - WWTF
 - LOST

5

Proposed Capital Expenditures

	2013	2014	2015	2016	2017
Cash	986,700	1,162,500	1,352,700	965,500	1,075,000
Debt Service	2,612,000	2,500,000	2,800,000	2,500,000	2,500,000
WWTF	300,500	3,735,000	648,500	435,000	58,500
LOST	3,376,045	500,000	15,000	0	0
Utility Fee	50,000	50,000	25,000	50,000	50,000
State Aid	268,000	0	0	0	0
PIR	70,000	0	0	0	0
Totals	\$7,663,245	\$7,947,500	\$4,841,200	\$3,950,500	\$3,683,500

6

2013 Projects

- Total of \$7,663,245
- Nine different categories
- Threshold over \$5,000

7

Airport

- Drainage Improvements
 - \$50,000
 - Cash Funded

8

Fire Department

- Garage Make Up Air System, \$37,000
- Light Replacements at Fire Station, \$10,700
- Hydrant Stock Purchase, \$20,000
- Outdoor Warning Sirens, \$5,000
- All cash funded.

9

Industrial Park

- Phase 2A Construction
 - \$2,431,900 from Local Option Sales Tax
- Rice Terminal
 - \$700,000 from Local Option Sales Tax

10

Information Technology

- VOIP Phone System
 - City Hall and WWTP
 - \$50,000 Cash funded.
 - \$17,000 WWTP
- VPN Connection Hardware
 - \$7,000 cash funded.

11

Leisure Services

- Civic Center
 - Dasher Boards, \$130,000
 - Roof Facing, \$60,000
 - Wheel Chair Lift, \$30,000
- WCAC
 - Roof Repair, \$25,000
- City Auditorium
 - Door Replacement, \$25,000

12

Public Works

- Street Reconstruction
 - \$2,500,000 Bonded, Annual Program
 - \$240,000 Cash Funded, Overlay
- Sign Reflectivity Replacement
 - \$10,000 cash funded
- Signal Cabinet Replacement
 - \$30,000 bond funded, \$30,000 State Aid
- Trott Avenue Quiet Zone
 - \$57,000 Cash Funded

13

Stormwater

- Improvements at former WWTP
 - \$150,000 cash funded
- Western Interceptor Phase II
 - \$70,000 Public Investment Revolving Fund

14

Trail and Sidewalk System

- Downtown
 - Glacial Lakes Trail Expansion
 - \$42,000, Local Option Sales Tax
- Willmar Avenue
 - Connections, Path Overlay
 - \$187,145, Local Option Sales Tax
- Reconstruction and Maintenance
 - \$15,000 Bond, \$15,000 Local Option Sales Tax
- New Construction
 - \$67,000 Bond

15

Wastewater Treatment

- Lift Station Construction and CRS
 - \$275,000
- Sewer Replacement (annual)
 - \$50,000 Utility fee
- MgOH Recirculation pump
 - \$8,500

16

Questions?

17

CITY OF WILLMAR CAPITAL IMPROVEMENTS PLANNING REVIEW AND RATING CRITERIA

1. **Legal Mandates:** Will the proposed project bring the City into compliance with an existing or new legal mandate?
 - ✓ Is the mandate local, state or federal?
 - ✓ What is the risk of non-compliance?
 - ✓ Is there a mandated timeframe and/or deadline for compliance?
2. **Maintenance of Existing Assets:** Does the project enhance or maintain a current asset of the City?
 - ✓ Does it extend the useful life cycle of an existing asset?
 - ✓ Is it a replacement for a deteriorated asset?
 - ✓ Is it an investment that is part of a larger City asset?
 - ✓ Will the project result in a change to operating costs, either positive or negative?
3. **Sustainability:** Is the project based not only on what makes the most sense now, but what makes the most sense for the future?
 - ✓ Does it enhance organizational efforts to indefinitely maintain a healthy and habitable environment?
 - ✓ Does it promote, initiate, support, and/or facilitate the creation of wealth and employment opportunities?
 - ✓ Does it do what is fair to all, not just a few?
 - ✓ Does the project represent a fiscally responsible decision considering the present and future impact to our organization?
4. **Reduce or Offset Costs:** Does the project provide for reduced cost (current or future) to the City, offset costs through additional revenue or partnerships, improve services at the same cost, or deliver service at less cost per unit of service as is being provided currently?
 - ✓ Does it offer the prospect of reduced or beneficial operations and maintenance cost (cost/sq ft) for new or renovated facilities?
 - ✓ Does it provide a favorable return on investment for revenue generating facilities (what is payback period)?
 - ✓ Does the project allow a % reduction in cost to the City through partnerships and or "other fund sources"?
 - ✓ Does it provide economic efficiency – reduced cost per unit of service delivered?
5. **Critical Public Safety Needs or Concerns:** Does the proposal address an existing or potential threat to lives or property?
 - ✓ Would the project reduce the risk of death and injuries due to transportation incidents?
 - ✓ Would it reduce the risk of damage to or loss of public or private property?
 - ✓ Would it facilitate response of emergency services?
 - ✓ Would the project improve the safety of people using public facilities?
6. **Meet Council Priorities:** Does the proposed project address an issue or concern that has been identified as a Council priority?
 - ✓ Is the project part of a comprehensive or strategic plan?
 - ✓ Has the project been deemed important by multiple members of the Council?

WILLMAR MUNICIPAL UTILITIES MINUTES
MUNICIPAL UTILITIES AUDITORIUM
SEPTEMBER 10, 2012

The Municipal Utilities Commission met in its regular scheduled meeting on Monday, September 10, 2012 at 11:45 a.m. in the Municipal Utilities Auditorium with the following Commissioners present: Dave Baker, Steve Salzer, Matt Schrupp, Dan Holtz, Jerry Gesch, and Carol Laumer. Absent was Commissioner Dave Becker.

Others present at the meeting were: General Manager Wes Hompe, Manager of Electric Services Jeff Kimpling, Director of Water/Heating Bart Murphy, Power Supply Broker Chris Carlson, Director of Power Production Jon Folkedahl, Customer Service Supervisor Stacy Stien, City Attorney Robert Scott, City Councilman Bruce DeBlieck, and WC Tribune Journalist David Little.

President Baker opened the meeting by requesting a resolution to approve the Consent Agenda. Following a review, Commissioner Laumer offered a resolution to approve the Consent Agenda as presented. Commissioner Holtz seconded.

RESOLUTION NO. 44

"BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the Consent Agenda be approved as presented which includes:

- ❖ Minutes from the August 27, 2012 Commission meeting & August 27, 2012 special Commission meeting; and,
- ❖ Bills represented by vouchers No. 121584 to No. 121655 inclusive in the amount of \$1,358,338.21 with a MISO credit in the amount of \$23,331.03 and an Absaloka Coal payment in the amount of \$144,262.16."

Dated this 10th day of September 2012.

President

ATTEST:

Secretary

The foregoing resolution was adopted by a vote of six ayes and zero nays.

At this time, General Manager Hompe introduced Stacy Stien to the Commission. Stacy has recently joined the WMU team as the Customer Service Supervisor. She has over 23 years of office management experience, and will be a great asset to the WMU organization.

General Manager Hompe reviewed with the Commission a resolution requesting that the Willmar City Council place liens on properties for unpaid utility bills. He noted that the grand total of the thirteen properties was in the amount of \$5,918.22. Following a review of the listing, Commissioner Schrupp offered a resolution to request that the Willmar City

Council place liens on these properties for unpaid utility bills. Commissioner Salzer seconded.

RESOLUTION NO. 45

The foregoing resolution was adopted by a vote of six ayes and zero nays.

Commissioner Baker discussed with the Commission the current status of the employment contract being proposed for General Manager Hompe. He noted that although the contract is near completion, a few minor details still needed to be addressed. Once the WMU Labor Committee has completed the employment contract in its entirety, it will be presented to the full Commission at the September 24th meeting for their approval. Following discussion, Commissioner Schrupp offered a motion to table the approval of the employment contract with General Manager Hompe until the September 24th MUC meeting. Commissioner Gesch seconded the motion which was approved by a vote of six ayes and zero nays.

General Manager Hompe made a request to the Commission to consider making contributions to two area heating assistance programs. The two programs are Heartland Community Action Energy Assistance and the Salvation Army HeatShare Program. Since WMU does not have a policy to assist low-income customers in paying their heating bills, it was being recommended that a donation of \$4,000 to each program be approved to support these programs. Following discussion, Commissioner Schrupp offered a resolution to approve an annual contribution in the amount of \$4,000 to support both the Heartland Community Action Energy Assistance Program and the Salvation Army HeatShare Program. Commissioner Holtz seconded.

RESOLUTION NO. 46

"BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that a contribution in the amount of \$4,000 be approved to both Heartland Community Action Energy Assistance Program and the Salvation Army HeatShare Program to assist with their low-income customer programs."

Dated this 10th day of September 2012.

President

ATTEST:

Secretary

The foregoing resolution was adopted by a vote of six ayes and zero nays.

Power Supply Broker Carlson reviewed with the Commission the July 2012 Power Supply Report. This was for information only.

Commissioner Salzer reported to the Commission on the WMU Planning Committee meeting held this morning at 10:00 a.m. Among the topics discussed were the upcoming 2013 Budget, power supply issues, and the possible replacement of the sewer line located near the Power Plant.

General Manager Hompe reminded the Commission that approval of the Midwest Reliability Organization (MRO) policy is required by the end of September 2012. In conjunction with the policy approval, discussed was the new position to be created for a Compliance Officer to oversee compliance issues facing the WMU such as EPA, MPCA, FERC, NERC, OSHA, etc. (this position has previously been approved). One idea under consideration would be the possibility of a joint position with the City.

Commissioner Schrupp discussed with the Commission the current status of the Director of Finance position. Applications for this position were originally requested in November 2011. Due to unforeseen circumstances, the position opening had been temporarily suspended. At this time, the WMU Labor Committee was recommending to reopen and proceed with the process to fill this position. Following discussion, Commissioner Schrupp offered a motion to proceed with filling the position of Director of Finance. Commissioner Salzer seconded the motion which carried by a vote of six ayes and zero nays.

To update and keep the Commissioners informed of changes to the WMU facilities, a periodic tour of the facilities is conducted. Following discussion, Commissioner Schrupp offered a motion conduct a tour of the WMU facilities on October 22nd beginning at 4:00 p.m. Commissioner Salzer seconded the motion which carried by a vote of six ayes and zero nays. It was noted that this tour would be in conjunction with the regular scheduled MUC meeting to follow the tour (rescheduled from 11:45 a.m.).

Commissioner Baker made a request to schedule a meeting of the WMU Labor Committee. Among personnel issues to be discussed would be the completion of the General Manager's employment contract and also the new vacancy of the Electrical Engineer's position. The WMU Labor Committee agreed to schedule a meeting for Thursday, September 13th at 10:00 a.m. to discuss a number of labor/personnel issues.

Commissioner Baker informed the Commission that due to an occupational change which would hamper his attendance to Commission meetings and events, Commissioner Dave Becker has submitted his resignation. Mayor Yanish is currently in the process of receiving nominations to fill this Commission vacancy.

With no other business to come before the Commission, Commissioner Salzer made a motion to adjourn the meeting. Commissioner Schrupp seconded the motion, and the meeting was adjourned by a vote of six ayes and zero nays.

Respectfully submitted,

WILLMAR MUNICIPAL UTILITIES

Jeff Kimpling
Manager of Electric Services

ATTEST:

Matt Schrupp, Secretary

RESOLUTION NO. 45

"BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the Municipal Utilities Commission requests that the City Council place liens on the following properties for non-payment of utility bills:

Account	Address	Amount
01 545.01	1309 Lake Ave NW	\$413.26
03 134.07	504 6 th St SW	\$327.35
07 199.11	311 Becker Ave SE	\$553.09
07 231.02	309 Augusta Ave SE	\$805.19
07 312.03	417 Becker Ave SE	\$263.89
07 416.02	808 6 th St SE	\$998.87
07 606.01	206 Bernard St SE	\$167.71
08 71.06	211 Dolson St SE Up	\$840.60
09 152.02	1505 11 th St SE	\$515.36
10 102.03	369 14 th St SE	\$396.47
17 139.50	200 5 th St SW	\$204.87
24 1334.05	1611 16 th St SW	\$117.87
24 2817.10	3755 8 th St NE	\$313.69
	GRAND TOTAL:	\$5,918.22

Dated this 10th day of September 2012.

ATTEST:

President

Secretary

Application for Appointment to City Board/Committee/Commission

Please indicate the Board/Committee(s)/Commission(s) to which you are interested in being appointed: *(If more than one, please number in order of choice – Applications are kept on file for two years)*

- _____ Airport Commission (meets monthly)
- _____ Community Education & Recreation Advisory Board (meets monthly)
- _____ City/County Economic Development Operations Board (meets monthly)
- _____ Housing and Redevelopment Authority (meets monthly)
- _____ Municipal Utilities Commission (meets bi-monthly)
- _____ Pioneerland Library System Board (meets monthly)
- _____ Planning Commission (meets bi-monthly)
- X Police Civil Service Commission (meets 1st Monday each February and on an as-need basis thereafter)
- _____ Rice Memorial Hospital (meets bi-monthly)
- _____ Zoning Appeals Board (meets monthly)
- _____ Ad hoc Task Forces (will be posted and will meet on an as-needed basis)

Applicant Information

Name: Cassie Rae Akerson Date of Application: 08/15/2012

Address: 901 14th Ave SE, Willmar, MN Phone No. (320) 267-7651

Email: cassieakerson@yahoo.com

What prompted you to make application for a citizen committee? Personal interest in law enforcement.

Briefly tell us why you want to serve on this Board/Committee/Commission:

To become involved with public safety (police issues) within the community. I would like to have input on decisions relating to maintaining and improving of our local police department.

List any special background or experience you have which would be helpful to this Board/Committee/Commission:

I am a licensed teacher (covering K-8) with middle school math. My father used to be a Sheriff in Meeker and Wright County. I have an interest in law enforcement, public safety and giving back time to my community in the form of service as a police commission member.

List your educational background:

I have my Masters of Science in Curriculum and Instruction and a Bachelors of Science in Education from St. Cloud State University. I graduated both with honors.

List any social, fraternal, patriotic, governmental, or service organizations, which you have or currently are serving on:

I have served as Student Council Advisor at the elementary level, promoting active citizenship within the life of the school and community.

If you are employed, please provide the name and address of your employer and your position:

Willmar Public School District #347- 611 5th St SW Willmar, MN 56201 : Fourth Grade Teacher

Please return completed application to:

Mayor's Office
333 SW 6th Street
Willmar, MN 56201

Or fax completed forms to:

(320) 235-4917

Cassie,

My contact information is: Chief of Police David Wyffels, 2201 NE 23rd St., Willmar, MN. 56201 (320) 214-6700 ext. 3101. Thank you for submitting your name for this position and the interest you have in serving as a commission member. You can email the completed application back to me at dwyffels@ci.willmar.mn.us and I will forward it to the Mayor.

D. Wyffels

**WILLMAR PLANNING COMMISSION
CITY OF WILLMAR, MN
WEDNESDAY, SEPTEMBER 12, 2012**

MINUTES

1. The Willmar Planning Commission met on Wednesday, September 12, 2012, at 7:00 p.m. at the Willmar City Offices Conference Room #2.

**** Members Present:** Mark Klema, Andrew Engan, Gary Geiger, Scott Thaden, Nick Davis, Virgilio Aguirre, and Randy Czarnetzki.

**** Members Absent:** Charlie Oakes, and Bob Poe.

**** Others Present:** Bruce D. Peterson- Director of Planning & Development Services, and Megan M. Sauer- Planner/Airport Manager.

2. MINUTES: The minutes of the August 22, 2012 meeting were approved as submitted.
3. VALLEY VIEW COURT SECOND ADDITION FINAL PLAT- FILE NO. 12-4: Staff presented the final plat on behalf of the applicant Anjali Dahiya, Spicer, MN. The plat consists of a one lot split for twin home development on property described as: Lot 7, Block 1, Valley View Court First Addition (207 Valley View Dr. SE). The Planning Commission approved the conditional use permit planned unit development amendment at a previous meeting on the parcel designated for a single family home to a twin home. The utility easements have been added as requested by Municipal Utilities. The association architectural board approved the elevation drawings of the home and is working on changing the legal description in the articles.

The Planning Commission reviewed and discussed staff comments (see Attachment A).

The Commission talked about the proposed home fitting in and looking quite similar to the existing homes in the development.

Mr. Czarnetzki made a motion, seconded by Mr. Engan, to approve the final plat and forward it onto the City Council for approval.

The motion carried.

4. CBD EXPANSION REZONE AND PHASE I & II LAND RELEASE REZONE
DISCUSSION: Staff presented the CBD (Central Business District) boundaries map depicting public input about Downtown boundaries from the Downtown Plan completed earlier this year. The Commission discussed the expansion of the Central Business District to allow more dense development and growth in the core portion of the community. They talked about which blocks to include and natural barriers/boundaries

such as 1st St. S. The CBD does not have off-street parking requirements and allows a zero foot setback line.

Mr. Thaden made a motion, seconded by Mr. Engan, to direct staff to commence the zoning amendment process for several blocks immediately adjacent to the current CBD south of Trott Ave. SW and west of 6th St. SW (full legal to be included in rezone documents).

The motion carried.

Next, staff presented the old airport land release phase map. As Phase I has already been released by the FAA that portion of land can be rezoned from G/I (Government Institutional) to I-1 (Limited Industry). And once Phase II is released, which is anticipated to occur soon, that property can be initiated for rezoning as well. The Planning Commission discussed Phase II parcel's rezoned to I-2 (General Industry).

The Commission discussed industrial park expansion plans and utility extensions.

Mr. Czarnetzki made a motion, seconded by Mr. Engan, to direct staff to begin preparing Ordinance documents for the rezoning process.

The motion carried.

5. MISCELLANY: Staff distributed a draft of the regulations for garage/rummage sales as suggested by the Commission at previous meetings. Staff will be conferring with the City Attorney to determine if the regulations would be in the Zoning Ordinance or Municipal Code. The Planning Commission talked about the exterior storage of sale items that are sometimes left in yards for days/weeks at a time between garage/rummage sales causing issues.

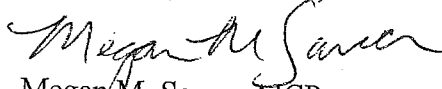
Mr. Davis made a motion, seconded by Mr. Geiger, to approve the draft wording and commence the Ordinance process with the following additional regulation:

- A. No exterior storage of sale items between consecutive sales shall be allowed.

The motion carried.

6. There being no further business to come before the Commission, the meeting adjourned at 7:59 p.m.

Respectfully submitted,


Megan M. Sauer, AICP
Planner/Airport Manager

PLANNING COMMISSION-September 12, 2012

STAFF COMMENTS

1. VALLEY VIEW COURT SECOND ADDITION FINAL PLAT- FILE NO. 12-4:

- The applicant is Anjali Dahiya, Spicer, MN.
- She is requesting final plat approval for a two lot replat of a lot for twin home development on property described as: Lot 7, Block 1, Valley View Court First Addition (207 Valley View Dr. SE).
- A conditional use permit amendment was approved by the Planning Commission on May 23, 2012, to allow the single lot to be split for twin home development.
- The applicant has submitted house plans to the home owners association and they did approve the architecture of the proposed home. The elevation drawings are similar to the other homes in the development.
- The utility easements were added as requested by MUC.
- The association is working on the changes to the articles/declarations to include the new legal description of the lots and will be furnished to the City prior to final plat signatures.

RECOMMENDATION: Approve the final plat and forward it onto the City Council for approval.

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CITY OF WILLMAR
GL540R-V07.20 PAGE 1

VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
AFFORDABLE PUMPING SERVI 002404 34209 09/12/12 SEPTIC PUMPING	250.00		19674		D N	CLEANING AND WAS	101.43430.0338
AMERICAN WELDING & GAS I 000057 34210 09/12/12 REPAIR WIREFEED WELDER	59.97		01866586		D N	MTCE. OF EQUIPME	101.43425.0224
34210 09/12/12 REPAIR WIREFEED WELDER	225.00		01866586		D N	MTCE. OF EQUIPME	101.43425.0334
34210 09/12/12 FIRE EXT. INSPECTION	488.11		01874948		D N	MTCE. OF EQUIPME	101.42412.0334
34210 09/12/12 FIRE EXT. REFILL	37.00		01875045		D N	MTCE. OF EQUIPME	101.42411.0334
VENDOR TOTAL	810.08		*CHECK TOTAL				
ANDERSON LAW OFFICES 002954 34211 09/12/12 PROFESSIONAL SERVICES	9,656.67		STWT/8-12		D N	PROFESSIONAL SER	101.41406.0446
ARNOLD'S OF WILLMAR INC 000068 34212 09/12/12 #05622D-BLOWER MOTOR	90.56		WC23774		D N	MTCE. OF EQUIPME	101.43425.0224
AT&T SUBPOENA CENTER .01919 34213 09/12/12 PHONE RECORDS	40.00		129791		D N	PROFESSIONAL SER	101.42411.0446
BANKEN/ALEXIS .01908 34214 09/12/12 REFUND-CANCELLED SOCCER	35.00		090712		D N	REFUNDS AND REIM	101.41428.0882
BARRICK/TROY .01909 34215 09/12/12 REFUND-CANCELLED SOCCER	35.00		090712		D N	REFUNDS AND REIM	101.41428.0882
BATTERY WHOLESale INC 002860 34216 09/12/12 BATTERIES FOR DECON TRLR	338.56		10123		D N	MTCE. OF EQUIPME	101.42412.0224
34216 09/12/12 TRUCK BATTERY	52.46		10133		D N	MTCE. OF EQUIPME	651.48474.0224
34216 09/12/12 TRUCK BATTERY	34.98		10133		D N	MTCE. OF EQUIPME	651.48475.0224
VENDOR TOTAL	426.00		*CHECK TOTAL				
BENNETT OFFICE TECHNOLOG 000099 34217 09/12/12 OFFICE SUPPLIES	22.28		169608		D N	OFFICE SUPPLIES	651.48474.0220
34217 09/12/12 OFFICE SUPPLIES	14.86		169608		D N	OFFICE SUPPLIES	651.48475.0220
34217 09/12/12 TONER	651.94		170518		D N	OFFICE SUPPLIES	208.45005.0220
34217 09/12/12 WEBSITE HOSTING FEES	50.00		170824		D N	PREPAID EXPENSES	208.128000
34217 09/12/12 WEBSITE HOSTING FEES	70.00		170824		D N	COMMUNICATIONS	208.45005.0330
VENDOR TOTAL	809.08		*CHECK TOTAL				
BENNETT VENTURES INC 001323 34218 09/12/12 LOCK REPAIR-PARTS	22.90		10453		D N	MICE. OF STRUCTU	101.43425.0225
34218 09/12/12 LOCK REPAIR-LABOR	15.00		10453		D N	MTCE. OF STRUCTU	101.43425.0335
VENDOR TOTAL	37.90		*CHECK TOTAL				

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VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M ACCOUNT NAME	ACCOUNT
CARRANZA/NORMA I 002542 34225 09/12/12 PROFESSIONAL SERVICES 34225 09/12/12 PROFESSIONAL SERVICES VENDOR TOTAL	50.00 50.00 100.00	072812 081312 *CHECK TOTAL			D M 07 D M 07	101.42411.0446 101.42411.0446
CENTERPOINT ENERGY 000467 34226 09/12/12 NATURAL GAS CHARGES 34226 09/12/12 NATURAL GAS CHARGES 34226 09/12/12 NATURAL GAS CHARGES 34226 09/12/12 NATURAL GAS CHARGES VENDOR TOTAL	41.37 27.58 1,512.56 12.82 1,594.33	6048932/8-12 6048932/8-12 6072309/8-12 6093527/8-12 *CHECK TOTAL			D N D N D N D N	651.48474.0332 651.48475.0332 101.45437.0332 101.43425.0332
CENTRAL LAKES COOPERATIVE 001259 34227 09/12/12 WEED KILLER	59.83	050857			D N	101.45433.0229
CHIEF SUPPLY CORPORATION 000885 34228 09/12/12 FIREFIGHTER BOOTS	133.52	118758			D N	101.42412.0227
CIT TECHNOLOGY FIN SERV 002556 34229 09/12/12 COPIER LEASE AGRMT	169.93	21992021			D N	101.41405.0440
CITY OF WILLMAR-GENERAL 000292 34230 09/12/12 BLDG PERMIT #21064	94.54	21064			D N	101.41408.0445
CLEAN SHOP PROGRAM 002728 34231 09/12/12 LAB-PACK DISPOSAL FEE 34231 09/12/12 PAINT DISPOSAL FEE VENDOR TOTAL	56.00 22.20 78.20	394 394 *CHECK TOTAL			D N D N	101.45427.0338 101.45427.0338
COLEPAPERS INC 000170 34232 09/12/12 CLEANING SUPPLIES 34232 09/12/12 PLASTIC CUPS/SUPPLIES 34232 09/12/12 SUPPLIES VENDOR TOTAL	257.33 156.49 43.37 457.19	8778900 8778900 8778900 *CHECK TOTAL			D N D N D N	101.41408.0228 101.41408.0229 101.45427.0229
COMPUTER PROF. UNLIMITED 000065 34233 09/12/12 ASSESSOR MEETING 34233 09/12/12 CAMA MONTHLY SUPPORT-SEP VENDOR TOTAL	40.00 138.00 178.00	STMT/9-12 STMT/9-12 *CHECK TOTAL			D N D N	101.41404.0333 101.41404.0334
COPIER BUSINESS SOLUTION 001934 34234 09/12/12 COPIER MTCE CHARGE 34234 09/12/12 COPIER MTCE CHARGE VENDOR TOTAL	50.77 12.18 62.95	212081 212183 *CHECK TOTAL			D N D N	101.42412.0334 101.41405.0334

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VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
CRA PAYMENT CENTER 34235 09/12/12 LIGHT 001933	83.10		9C07658		D N	INVENTORIES-MDSE	101.125000
CROW CHEMICAL & LIGHTING 000186 34236 09/12/12 HAND TOWELS 34236 09/12/12 CLEANING SUPPLIES 34236 09/12/12 DISPOSABLE GLOVES 34236 09/12/12 DISPOSABLE GLOVES	119.93 24.05 118.66 79.11 341.75		400973 400991 401013 401013 *CHECK TOTAL		D N D N D N D N	GENERAL SUPPLIES CLEANING AND WAS GENERAL SUPPLIES GENERAL SUPPLIES	101.42412.0229 101.43425.0228 651.48474.0229 651.48475.0229
VENDOR TOTAL	341.75						
CULLIGAN STERLING WATER 000188 34237 09/12/12 SOFTENER RENTAL	32.28		112508-9/8-12		D N	RENTS	101.45435.0440
DAN'S SHOP INC 002212 34238 09/12/12 FILTERS 34238 09/12/12 FILTERS	313.46 131.17 444.63 444.63		56012 56177 *CHECK TOTAL		D N D N	INVENTORIES-MDSE INVENTORIES-MDSE	101.125000 101.125000
VENDOR TOTAL							
DAVY LABORATORIES .01797 34239 09/12/12 SUITABILITY TESTING 34239 09/12/12 SUITABILITY TESTING	194.53 129.69 324.22 324.22		2080622 2080622 *CHECK TOTAL		D N D N	PROFESSIONAL SER PROFESSIONAL SER	651.48474.0446 651.48475.0446
VENDOR TOTAL							
DELL MARKETING LP 001747 34240 09/12/12 2-DELL LATITUDES E6430 34240 09/12/12 EXTENDED WARRANTY E6430 34240 09/12/12 5-DELL LATITUDES E6430 34240 09/12/12 EXTENDED WARRANTY 34240 09/12/12 15-DELL OPTIPLEX 7010 34240 09/12/12 EXTENDED WARRANTY	2,428.25 300.00 5,300.12 750.00 9,700.12 2,250.00 20,728.49 20,728.49		XFW2KPI76 XFW2KPI76 XFW3M55X8 XFW3M55X8 XFW3XTXN2 XFW3XTXN2 *CHECK TOTAL		D N D N D N D N D N D N	SMALL TOOLS MTCE. OF EQUIPME SMALL TOOLS MTCE. OF EQUIPME SMALL TOOLS MTCE. OF EQUIPME	101.41409.0221 101.41409.0334 101.41409.0221 101.41409.0334 101.41409.0221 101.41409.0334
VENDOR TOTAL							
DEPT OF HUMAN SERVICES 002914 34241 09/12/12 #22 RICE CARE CENTER-	15,576.15		00000094296		D N	OTHER CHARGES	101.41428.0449
DIERENFELD/JEFF .01910 34242 09/12/12 REFUND JERSEY DEPOSIT	30.00		090712		D N	REFUNDS AND REIM	101.41428.0882
DIGITAL-ALLY INC 002509 34243 09/12/12 SQUAD CAR CAMERA REPAIR 34243 09/12/12 SQUAD CAR CAMERA REPAIR	420.00 420.00 840.00		1050324 1050325 *CHECK TOTAL		D N D N	MTCE. OF EQUIPME MTCE. OF EQUIPME	101.42411.0334 101.42411.0334
VENDOR TOTAL							

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VENDOR NAME AND NUMBER CHECK# DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
DOMINO'S PIZZA 34244 09/12/12	000210 WEATHER WATCH TRAINING	162.67		0019013		D N	TRAVEL-CONF.-SCH	101.42412.0333
DOOLEY'S PETROLEUM INC 34245 09/12/12 87 34245 09/12/12 87 34245 09/12/12 87	000212 GALLONS UNLEADED GALLONS UNLEADED GALLONS UNLEADED	362.97 241.98 604.95 604.95		316678 316678 *CHECK TOTAL		D N D N	MOTOR FUELS AND MOTOR FUELS AND	651.48474.0222 651.48475.0222
	VENDOR TOTAL							
DOOLEY'S PETROLEUM INC 34205 09/05/12 4 34205 09/05/12 4 34205 09/05/12 4	002163 GALLONS UNLEADED GALLONS DIESEL GALLONS DIESEL	14,981.90 14,966.94 29,948.84 29,948.84		209673 209673 *CHECK TOTAL		D N D N	INVENTORIES-MDSE INVENTORIES-MDSE	101.125000 101.125000
	VENDOR TOTAL							
DUININCK INC 34246 09/12/12	000222 PAVING/CURB & GUTTER	199,720.72		1201-B/EST. 3		D N	MTCE. OF OTHER I	412.48451.0336
ED DAVIS BUSINESS MACHIN 34247 09/12/12	000229 OFFICE SUPPLIES	86.01		117740		D N	OFFICE SUPPLIES	101.42412.0220
ELLINGSON DRAINAGE INC 34248 09/12/12	002974 RELOCATION OF WTR MAI	90,985.59		1202/EST. 1		D N	MTCE. OF OTHER I	412.48451.0336
ELMQUIST JEWELERS 34249 09/12/12	000236 CALVIN-CLOCK/ENGRAVING	215.29		88124		D N	GENERAL SUPPLIES	101.41401.0229
ERICKSON/PATSY 34206 09/05/12	000952 MAAO CONFERENCE REGIS.	335.00		090512		D N	TRAVEL-CONF.-SCH	101.41404.0333
ETTERMAN ENTERPRISES 34250 09/12/12 34250 09/12/12	001567 WRENCHES SUPPLIES	41.60 126.65 168.25 168.25		187224 187224 *CHECK TOTAL		D M 07 D M 07	SMALL TOOLS GENERAL SUPPLIES	101.45433.0221 101.45433.0229
	VENDOR TOTAL							
FAMILY PRACTICE MED CENT 34251 09/12/12 34251 09/12/12 34251 09/12/12	000245 DRUG TESTING DRUG TESTING DRUG TESTING	108.00 64.80 43.20 216.00 216.00		45/8-12 45/8-12 45/8-12 *CHECK TOTAL		D N D N D N	SUBSISTENCE OF P SUBSISTENCE OF P SUBSISTENCE OF P	101.43425.0337 651.48474.0337 651.48475.0337
	VENDOR TOTAL							
FARNAM'S GENUINE PARTS 34252 09/12/12 34252 09/12/12 34252 09/12/12	000249 LIGHTS EXHAUST CLAMP SUPPLIES	3.73 10.69 7.87 22.29 22.29		137-656406 137-656768 137-656885 *CHECK TOTAL		D N D N D N	INVENTORIES-MDSE INVENTORIES-MDSE GENERAL SUPPLIES	101.125000 101.125000 101.45433.0229
	VENDOR TOTAL							

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VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
FASSTENAL COMPANY 001188							
34253 09/12/12 HEARING PROTECTION	60.18		MNWIL96911		D N	SUBSISTENCE OF P	101.42412.0227
34253 09/12/12 BATTERIES/SUPPLIES	243.68		MNWIL96911		D N	GENERAL SUPPLIES	101.42412.0229
34253 09/12/12 SUPPLIES	1.75		MNWIL97316		D N	GENERAL SUPPLIES	101.45433.0229
VENDOR TOTAL	305.61		*CHECK TOTAL				
	305.61						
FERGUSON ENTERPRISES INC 000810							
34254 09/12/12 PLUMBING PARTS	54.40		2542616		D N	MTCE. OF STRUCTU	101.43425.0225
FINANCE AND COMMERCE 002809							
34255 09/12/12 AD FOR BIDS-AIRPORT IMP.	239.82		20250671		D N	PRINTING AND PUB	101.43430.0331
FISCHER/BETH 002484							
34256 09/12/12 OFFICE SUPPLIES	67.36		090812		D M 07	OFFICE SUPPLIES	208.45005.0220
34256 09/12/12 POSTAGE STAMPS	9.00		090812		D M 07	POSTAGE	208.45005.0223
34256 09/12/12 CELL PHONE-JULY	14.77		090812		D M 07	COMMUNICATIONS	208.45005.0330
34256 09/12/12 CELL PHONE-AUGUST	14.77		090812		D M 07	COMMUNICATIONS	208.45005.0330
34256 09/12/12 CELL PHONE-SEPTEMBER	14.77		090812		D M 07	COMMUNICATIONS	208.45005.0330
34256 09/12/12 MILEAGE 6/12-9/8/12	565.55		090812		D M 07	TRAVEL-CONF.-SCH	208.45005.0333
34256 09/12/12 SPICER COMM. CLUB MTG	9.03		090812		D M 07	TRAVEL-CONF.-SCH	208.45005.0333
34256 09/12/12 BIKE RIDE MEETING LUNCH	25.73		090812		D M 07	TRAVEL-CONF.-SCH	208.45005.0333
34256 09/12/12 SPICER COMM. CLUB MTG	7.48		090812		D M 07	TRAVEL-CONF.-SCH	208.45005.0333
34256 09/12/12 MN HEARTLAND MKING MTG	14.91		090812		D M 07	TRAVEL-CONF.-SCH	208.45005.0333
34256 09/12/12 MN HEARTLAND TOURISM MTG	15.00		090812		D M 07	TRAVEL-CONF.-SCH	208.45005.0333
34256 09/12/12 CVB CONFERENCE REGIS.	260.00		090812		D M 07	TRAVEL-CONF.-SCH	208.45005.0333
VENDOR TOTAL	1,018.37		*CHECK TOTAL				
	1,018.37						
FLEETPRIDE 002973							
34257 09/12/12 CONSPICUITY TAPE	183.74		49721727		D N	INVENTORIES-MDSE	101.125000
FRANCOTYP-POSTALIA INC 001791							
34258 09/12/12 POSTAGE METER RENTAL	186.19		RI101192933		D N	RENTS	101.42411.0440
FREMONT INDUSTRIES INC 002879							
34259 09/12/12 POLYMER	6,531.78		788393		D N	GENERAL SUPPLIES	651.48478.0229
34259 09/12/12 POLYMER	6,531.77		788393		D N	GENERAL SUPPLIES	651.48479.0229
VENDOR TOTAL	13,063.55		*CHECK TOTAL				
	13,063.55						
FUENTES/LUIS 01385							
34260 09/12/12 REFUND SHELTER DEPOSIT	50.00		091012		D N	DEPOSITS	101.230000
G & K SERVICES 002465							
34261 09/12/12 CLEANING SERVICES	51.46		1007251131		D N	CLEANING AND WAS	101.43430.0338
GALLS 000288							
34262 09/12/12 ADJUSTABLE ARM REST	110.82		512391163		D N	MTCE. OF EQUIPME	101.42411.0224

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VENDOR NAME AND NUMBER CHECK# DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 EX M ACCOUNT NAME	ACCOUNT
GARCIA/CHRISTY 34263 09/12/12	REFUND-CANCELLED SOCCER	35.00		090712		REFUNDS AND REIM	101.41428.0882
GENERAL MAILING SERVICES 34264 09/12/12	000293 POSTAGE-JULY	29.38	6900			POSTAGE	208.45006.0223
34264 09/12/12	08/20 - 08/24/12	28.10	7055			POSTAGE	101.41401.0223
34264 09/12/12	08/20 - 08/24/12	7.75	7055			POSTAGE	101.41402.0223
34264 09/12/12	08/20 - 08/24/12	93.05	7055			POSTAGE	101.41403.0223
34264 09/12/12	08/20 - 08/24/12	41.25	7055			POSTAGE	101.41405.0223
34264 09/12/12	08/20 - 08/24/12	15.00	7055			POSTAGE	101.41408.0223
34264 09/12/12	08/20 - 08/24/12	0.55	7055			POSTAGE	101.42411.0223
34264 09/12/12	08/20 - 08/24/12	0.55	7055			POSTAGE	101.42412.0223
34264 09/12/12	08/20 - 08/24/12	14.55	7055			POSTAGE	101.43425.0223
34264 09/12/12	08/20 - 08/24/12	1.10	7055			POSTAGE	101.41401.0223
34264 09/12/12	08/20 - 08/24/12	80.36	7084			POSTAGE	101.41402.0223
34264 09/12/12	08/27 - 08/31/12	21.60	7084			POSTAGE	101.41403.0223
34264 09/12/12	08/27 - 08/31/12	7.35	7084			POSTAGE	101.41404.0223
34264 09/12/12	08/27 - 08/31/12	10.45	7084			POSTAGE	101.41408.0223
34264 09/12/12	08/27 - 08/31/12	15.00	7084			POSTAGE	101.42411.0223
34264 09/12/12	08/27 - 08/31/12	1.10	7084			POSTAGE	101.42412.0223
34264 09/12/12	08/27 - 08/31/12	0.55	7084			POSTAGE	101.43417.0223
34264 09/12/12	08/27 - 08/31/12	7.15	7084			POSTAGE	101.43425.0223
34264 09/12/12	08/27 - 08/31/12	21.90	7084			POSTAGE	101.45432.0223
34264 09/12/12	08/27 - 08/31/12	139.15	7084			POSTAGE	101.45433.0223
34264 09/12/12	08/27 - 08/31/12	1.10	7084			POSTAGE	651.48474.0223
34264 09/12/12	08/27 - 08/31/12	1.65	7084			POSTAGE	651.48475.0223
34264 09/12/12	08/27 - 08/31/12	1.10	7084			POSTAGE	208.45006.0223
34264 09/12/12	08/27 - 08/31/12	203.25	7113			POSTAGE	101.41401.0223
34264 09/12/12	08/27 - 08/31/12	25.80	7210			POSTAGE	101.41402.0223
34264 09/12/12	08/27 - 08/31/12	16.20	7210			POSTAGE	101.41403.0223
34264 09/12/12	08/27 - 08/31/12	66.40	7210			POSTAGE	101.41405.0223
34264 09/12/12	08/27 - 08/31/12	3.00	7210			POSTAGE	101.41408.0223
34264 09/12/12	08/27 - 08/31/12	15.00	7210			POSTAGE	101.41428.0223
34264 09/12/12	08/27 - 08/31/12	3.30	7210			POSTAGE	101.42411.0223
34264 09/12/12	08/27 - 08/31/12	0.55	7210			POSTAGE	101.42412.0223
34264 09/12/12	08/27 - 08/31/12	3.90	7210			POSTAGE	101.43425.0223
34264 09/12/12	08/27 - 08/31/12	0.55	7210			POSTAGE	101.43430.0223
34264 09/12/12	08/27 - 08/31/12	1.65	7210			POSTAGE	101.45432.0223
34264 09/12/12	08/27 - 08/31/12	6.30	7210			POSTAGE	101.45435.0223
34264 09/12/12	08/27 - 08/31/12	1.65	7210			POSTAGE	651.48474.0223
34264 09/12/12	08/27 - 08/31/12	10.50	7210			POSTAGE	651.48475.0223
34264 09/12/12	08/27 - 08/31/12	7.00	7210			POSTAGE	
34264 09/12/12	08/27 - 08/31/12	904.79				*CHECK TOTAL	
34264 09/12/12	08/27 - 08/31/12	904.79					
GILBERTS/HEATHER 34265 09/12/12	REFUND-CANCELLED SOCCER	35.00		090712		REFUNDS AND REIM	101.41428.0882

VENDOR TOTAL

GILBERTS/HEATHER
34265 09/12/12

090712

35.00

REFUNDS AND REIM 101.41428.0882

D N

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VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
GOLDLEAF PLASTICS INC 000300 34266 09/12/12 PLEXIGLASS REPL. SHEET 1,008.09			132254		D N	MTCE. OF STRUCTU	101.45433.0225
GREENSPRING MEDIA GROUP 001504 34267 09/12/12 E-NEWSLETTER AD	200.00		MM73815		D N	OTHER CHARGES	208.45010.0449
GUSTAFSON/MIKE .01913 34268 09/12/12 REFUND JERSEY DEPOSIT	30.00		090712		D N	REFUNDS AND REIM	101.41428.0882
HARDWARE HANK EXPRESS 000452 34269 09/12/12 BATTERIES-TWL DISPENSER	21.36		080112		D N	GENERAL SUPPLIES	101.45427.0229
34269 09/12/12 REPL. TOILET SEAT	19.23		080212		D N	GENERAL SUPPLIES	101.41408.0229
34269 09/12/12 RAKES FOR BUCKET TRUCK	23.49		080312		D N	SMALL TOOLS	101.43425.0221
34269 09/12/12 METAL HOOKS	32.03		080312		D N	GENERAL SUPPLIES	207.45001.0229
34269 09/12/12 BATTERIES	16.02		080712		D N	GENERAL SUPPLIES	101.41408.0229
34269 09/12/12 PLUMBING PARTS	7.59		080812		D N	MTCE. OF STRUCTU	101.43425.0225
34269 09/12/12 PAINTING SUPPLIES	7.33		080912		D N	GENERAL SUPPLIES	101.43425.0229
34269 09/12/12 SMALL TOOLS	48.08		081412		D N	SMALL TOOLS	101.43425.0221
34269 09/12/12 CLEANING SUPPLIES	15.46		081512		D N	CLEANING AND WAS	101.45433.0238
34269 09/12/12 NUTS/BOLTS FOR CLNG TILE	5.12		081712		D N	MTCE. OF STRUCTU	101.45427.0225
34269 09/12/12 ELEC WIRING PARTS	28.43		082012		D N	MTCE. OF STRUCTU	101.43425.0225
34269 09/12/12 METAL BOX COVER	1.23		082012		D N	MTCE. OF STRUCTU	101.43425.0225
34269 09/12/12 LT BULBS FOR ELEVATOR	11.75		082712		D N	MTCE. OF STRUCTU	101.41408.0225
34269 09/12/12 LT BULBS FOR ELEVATOR	10.36		082712		D N	MTCE. OF STRUCTU	101.41408.0225
34269 09/12/12 STAIN FOR WINDOW	16.01		082912		D N	MTCE. OF STRUCTU	101.41408.0225
34269 09/12/12 DOUBLE STICK TAPE	5.87		082912		D N	GENERAL SUPPLIES	101.41408.0229
34269 09/12/12 GLUE	4.80		082912		D N	GENERAL SUPPLIES	101.41408.0229
34269 09/12/12 BATTERIES	18.57		082912		D N	GENERAL SUPPLIES	101.45435.0229
34269 09/12/12 EXTENSION CORD	16.02		082912		D N	SMALL TOOLS	101.45437.0221
34269 09/12/12 TOILET TISSUE/SUPPLIES	35.02		082912		D N	GENERAL SUPPLIES	207.45001.0229
34269 09/12/12 LIGHT BULBS	24.56		083012		D N	MTCE. OF STRUCTU	101.45427.0225
	368.33		*CHECK TOTAL				
VENDOR TOTAL	368.33						
HARRINGTON/PAM .01914 34270 09/12/12 REFUND-CANCELLED SOCCER	70.00		090712		D N	REFUNDS AND REIM	101.41428.0882
HAUG IMPLEMENT CO - JOHN 000324 34271 09/12/12 #114532-QUICK TATCH	213.74		100419		D N	MTCE. OF EQUIPME	101.43425.0224
34271 09/12/12 FITTINGS/O-RINGS	35.14		101077		D N	INVENTORIES-MDSE	101.125000
34271 09/12/12 TRACTOR PARTS	102.70		101127		D N	MTCE. OF EQUIPME	651.48478.0224
34271 09/12/12 TRACTOR PARTS	102.70		101127		D N	MTCE. OF EQUIPME	651.48479.0224
34271 09/12/12 CABLE	24.75		101926		D N	INVENTORIES-MDSE	101.125000
	479.03		*CHECK TOTAL				
VENDOR TOTAL	479.03						
HAWKINS INC 000325 34272 09/12/12 FERRIC CHLORIDE	4,900.82		3379349 RI		D N	GENERAL SUPPLIES	651.48475.0229

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VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M ACCOUNT NAME	ACCOUNT
HAWKINS INC 34272 09/12/12 FERRIC CHLORIDE VENDOR TOTAL	4,888.39 9,789.21 9,789.21		3380487 RI *CHECK TOTAL		D N	GENERAL SUPPLIES 651.48474.0229
HEGLUND CATERING 34273 09/12/12 LEISURE COMMITTEE LUNCH	104.42		6045		D N	TRAVEL-CONF.-SCH 208.45005.0333
HEIMAN FIRE EQUIPMENT IN 34274 09/12/12 LADDERS	979.90		0800472		D N	SMALL TOOLS 101.42412.0221
HERITAGE BANK 34208 09/07/12 INVESTMENT 34208 09/07/12 INVESTMENT 34208 09/07/12 INVESTMENT 34208 09/07/12 INVESTMENT 34208 09/07/12 INVESTMENT 34208 09/07/12 INVESTMENT	2,908,000.00 4,000.00 8,000.00 4,000.00 979,000.00 97,000.00 4,000,000.00		090712 090712 090712 090712 090712 090712 *CHECK TOTAL		D N D N D N D N D N D N D N	INVESTMENTS 101.109000 INVESTMENTS 305.109000 INVESTMENTS 312.109000 INVESTMENTS 350.109000 INVESTMENTS 450.109000 INVESTMENTS 651.109000
34275 09/12/12 INVESTMENT 34275 09/12/12 INVESTMENT 34275 09/12/12 INVESTMENT 34275 09/12/12 INVESTMENT 34275 09/12/12 INVESTMENT 34275 09/12/12 INVESTMENT 34275 09/12/12 INVESTMENT VENDOR TOTAL	1,454,000.00 1,168,000.00 3,000.00 1,000.00 1,000.00 1,000.00 267,000.00 390,000.00 2,285,000.00 6,285,000.00		091212 091212 091212 091212 091212 091212 091212 091212 *CHECK TOTAL		D N D N D N D N D N D N D N D N	INVESTMENTS 101.109000 INVESTMENTS 220.109000 INVESTMENTS 295.109000 INVESTMENTS 307.109000 INVESTMENTS 309.109000 INVESTMENTS 310.109000 INVESTMENTS 350.109000 INVESTMENTS 450.109000
HILLYARD FLOOR CARE SUPP 34276 09/12/12 TOILET TISSUE/SUPPLIES 34276 09/12/12 CLEANING SUPPLIES VENDOR TOTAL	196.65 152.97 349.62 349.62		600377920 600377946 *CHECK TOTAL		D N D N	GENERAL SUPPLIES 101.45427.0229 CLEANING AND WAS 101.45427.0228
HYDRAULIC SPECIALTY CO 34277 09/12/12 SANDER SPINNER MOTORS	362.00		45512		D N	INVENTORIES-MDSE 101.125000
HYDRITE CHEMICAL CO 34278 09/12/12 MAGNESIUM HYDROXIDE	8,831.20		01520988		D N	GENERAL SUPPLIES 651.48475.0229
IMAGING PATH/THE 34279 09/12/12 COPIER MTCE CHARGE	40.93		117102		D N	MTCE. OF EQUIPME 101.43425.0334
INTERSTATE POWER SYSTEMS 34280 09/12/12 KAISER BLOWER BELTS	273.21		533590 RI		D N	MTCE. OF EQUIPME 651.48475.0224

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VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 EX M	ACCOUNT NAME	ACCOUNT
IRRIGATION PLUS 34281 09/12/12 IRRIGATION-BLUE FIELD 17,900.00	17,900.00		073112		D M 07	OTHER IMPROVEMEN	450.45431.0554
JJ KELLER & ASSOCIATES I 34282 09/12/12 OSHA REGULATIONS BOOK 153.25 34282 09/12/12 OSHA REGULATIONS BOOK 102.16 34282 09/12/12 OSHA REGULATIONS BOOK 255.41 VENDOR TOTAL 255.41	153.25 102.16 255.41 255.41		009342740 009342740 *CHECK TOTAL		D N D N	OFFICE SUPPLIES OFFICE SUPPLIES	651.48474.0220 651.48475.0220
JOBSHQ 34283 09/12/12 FIRE CHIEF POSITION AD 339.00 34283 09/12/12 WTP POSITION AD 663.00 VENDOR TOTAL 1,002.00	339.00 663.00 1,002.00		1103129 1103129 *CHECK TOTAL		D N D N	ADVERTISING ADVERTISING	101.42412.0447 651.48484.0447
JOHNSTONE SUPPLY 34284 09/12/12 COMPRESSOR PARTS 238.82	238.82		159845		D N	MTCE. OF EQUIPME	101.45433.0224
K M FIRE PUMP SPECIALIST 34285 09/12/12 #885700 REPAIR-PARTS 775.00 34285 09/12/12 #885700 REPAIR-LABOR 1,275.00 34285 09/12/12 PUMP TESTING 1,050.00 VENDOR TOTAL 3,100.00	775.00 1,275.00 1,050.00 3,100.00		5713 5713 5714 *CHECK TOTAL		D M 07 D M 07 D M 07	MTCE. OF EQUIPME MTCE. OF EQUIPME MTCE. OF EQUIPME PROFESSIONAL SER	101.42412.0224 101.42412.0334 101.42412.0446
KANDIYOHI CO AUDITOR 34286 09/12/12 SPECIAL ASSESSMENT 000376 CA 12,060.00 34286 09/12/12 SPECIAL ASSESSMENT CARDS 395.00 34286 09/12/12 SPECIAL ASSESSMENT CAR 2,140.00 34286 09/12/12 SPECIAL ASSESSMENT CARDS 360.00 VENDOR TOTAL 14,955.00	12,060.00 395.00 2,140.00 360.00 14,955.00		072812 072812 072812 072812 *CHECK TOTAL		D N D N D N D N	OTHER SERVICES OTHER SERVICES OTHER SERVICES OTHER SERVICES	411.48451.0339 411.48451.0339 411.48452.0339 411.48454.0339
KANDIYOHI CO RECORDER'S 34287 09/12/12 PLAT COPIES FEE 10.00 34287 09/12/12 PLAT COPIES FEE 10.00 34287 09/12/12 RECORDING FEES 46.00 34287 09/12/12 RECORDING FEES 46.00 VENDOR TOTAL 112.00	10.00 10.00 46.00 46.00 112.00		SOP-052011 SOP-052191 603316 603317 *CHECK TOTAL		D N D N D N D N	PROFESSIONAL SER PROFESSIONAL SER PROFESSIONAL SER PROFESSIONAL SER	101.41401.0446 101.41401.0446 101.41401.0446 101.41401.0446
KANDIYOHI CO RECYCLING A 34288 09/12/12 LAMP RECYCLING 8.50	8.50		082412		D N	CLEANING AND WAS	101.45427.0338
KANDIYOHI CO SHERIFF'S D 34289 09/12/12 ARMREST PRNTR/PAPER HLDR 297.72	297.72		082712		D N	MACHINERY AND AU	450.42411.0553
KOKESCH/AMANDA 34290 09/12/12 REFUND-CANCELLED SOCCER .01915 35.00	35.00		090712		D N	REFUNDS AND REIM	101.41428.0882

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KVAM IMPLEMENT CO 34291 09/12/12 HYDRAULIC COUPLER 34291 09/12/12 PIN KIT VENDOR TOTAL	100.21 83.13 183.34 183.34		79622 79626 *CHECK TOTAL		D N D N	INVENTORIES-MDSE INVENTORIES-MDSE	101.125000 101.125000
LAKESIDE PRESS 34292 09/12/12 LEGACY DESTIN. POSTERS 34292 09/12/12 BIKING FOR BABIES FLYER VENDOR TOTAL	60.18 44.25 104.43 104.43		1694 1805 *CHECK TOTAL		D N D N	OTHER CHARGES ADVERTISING	208.45006.0449 208.45006.0447
LAYMAN CONSTRUCTION INC 34293 09/12/12 REPL. WINDOWS	1,800.00		090312		D N	MTCE. OF STRUCTU	101.41408.0335
LEAGUE OF MN CITIES INS 34294 09/12/12 MUNICIPALITY INSURANCE	147.00		41469		D N	INSURANCES AND B	101.41428.0441
LET'S PLAY INC 34295 09/12/12 HOCKEY TOURNAMENT AD	535.00		11034		D N	OTHER CHARGES	208.45011.0449
MACQUEEN EQUIPMENT INC 34296 09/12/12 STRIP BROOMS/MANDREL	1,715.20		2123994		D N	INVENTORIES-MDSE	101.125000
MBPTA 34297 09/12/12 BONNEMA-SEMINAR REGIS.	75.00		091212		D N	TRAVEL-CONF.-SCH	101.41402.0333
MENARDS 34298 09/12/12 FLOOR REPAIR-MATERIALS 34298 09/12/12 ANTIFREEZE 34298 09/12/12 LIGHT FIXTURE/BULBS 34298 09/12/12 PLANT SUPPLIES 34298 09/12/12 CONCRETE-SHLTR FLOOR 34298 09/12/12 PAINT FOR BLDG 34298 09/12/12 CONCRETE SEALER 34298 09/12/12 BLDG MTCE-MATERIALS 34298 09/12/12 VENTILATION PARTS VENDOR TOTAL	60.60 1,328.67 16.50 32.05 30.67 130.30 67.48 27.46 22.87 1,716.60 1,716.60		68833 69557 69584 70378 70408 70731 71811 71875 72516 *CHECK TOTAL		D N D N D N D N D N D N D N D N D N	MTCE. OF STRUCTU GENERAL SUPPLIES MTCE. OF STRUCTU GENERAL SUPPLIES MTCE. OF STRUCTU MTCE. OF STRUCTU MTCE. OF STRUCTU MTCE. OF STRUCTU MTCE. OF OTHER I	101.45433.0225 101.43425.0229 101.41408.0225 651.48474.0229 101.43425.0225 101.45433.0225 101.43425.0225 101.45433.0225 651.48474.0226
METRO FIRE 34299 09/12/12 FIRE CHIEF HELMET 34299 09/12/12 HELMET FRONT VENDOR TOTAL	323.45 57.88 381.33 381.33		44986 44989 *CHECK TOTAL		D N D N	SUBSISTENCE OF P SUBSISTENCE OF P	101.42412.0227 101.42412.0227
MIKE'S SMALL ENGINE CENT 34300 09/12/12 MOWER BLADE	8.44		98365		D N	MTCE. OF EQUIPME	101.45433.0224

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MTI DISTRIBUTING CO 34306 09/12/12 IRRIGATION PARTS	124.90		858933-00		D N	MTCE. OF OTHER I 101.43425.0226
MUNICIPAL UTILITIES 34307 09/12/12 UTILITIES FOR AUGUST	3,319.23	8/12			D N	UTILITIES 101.41408.0332
34307 09/12/12 UTILITIES FOR AUGUST	1,005.82	8/12			D N	UTILITIES 101.42412.0332
34307 09/12/12 UTILITIES FOR AUGUST	6,822.20	8/12			D N	UTILITIES 101.43425.0332
34307 09/12/12 UTILITIES FOR AUGUST	2,861.61	8/12			D N	UTILITIES 101.43430.0332
34307 09/12/12 UTILITIES FOR AUGUST	1,310.78	8/12			D N	UTILITIES 101.45427.0332
34307 09/12/12 UTILITIES FOR AUGUST	5,379.44	8/12			D N	UTILITIES 101.45433.0332
34307 09/12/12 UTILITIES FOR AUGUST	1,285.29	8/12			D N	UTILITIES 101.45435.0332
34307 09/12/12 UTILITIES FOR AUGUST	2,793.05	8/12			D N	UTILITIES 101.45437.0332
34307 09/12/12 UTILITIES FOR AUGUST	629.55	8/12			D N	UTILITIES 207.45001.0332
34307 09/12/12 UTILITIES FOR AUGUST	24,586.97	8/12			D N	UTILITIES 651.48474.0332
34307 09/12/12 ADMIN FEE	900.00	8/12			D N	PROFESSIONAL SER 651.48474.0446
34307 09/12/12 ADMIN FEE	16,391.31	8/12			D N	UTILITIES 651.48475.0332
34307 09/12/12 ADMIN FEE	1,463.88	8/12			D N	PROFESSIONAL SER 651.48475.0446
34307 09/12/12 UTILITIES FOR AUGUST	2,152.79	8/12			D N	UTILITIES 651.48476.0332
34307 09/12/12 UTILITIES FOR AUGUST	71,501.92		*CHECK TOTAL		D N	UTILITIES 651.48477.0332
VENDOR TOTAL	71,501.92					
MVTL LABORATORIES INC 34308 09/12/12 PROFESSIONAL SERVICES	579.00	620784			D N	PROFESSIONAL SER 651.48478.0446
34308 09/12/12 PROFESSIONAL SERVICES	579.00	620784			D N	PROFESSIONAL SER 651.48479.0446
34308 09/12/12 PROFESSIONAL SERVICES	39.00	620820			D N	PROFESSIONAL SER 651.48475.0446
34308 09/12/12 PROFESSIONAL SERVICES	39.00	621813			D N	PROFESSIONAL SER 651.48475.0446
VENDOR TOTAL	1,236.00		*CHECK TOTAL			
NORTHERN STATES SUPPLY 34309 09/12/12 SURVEY SUPPLIES	58.48	873459			D N	GENERAL SUPPLIES 412.48451.0229
34309 09/12/12 STAINLESS THREADED ROD	35.89	876198			D N	MTCE. OF EQUIPME 101.43425.0224
34309 09/12/12 END MILL CUTTERS	46.97	876916			D N	SMALL TOOLS 101.43425.0221
34309 09/12/12 ZAMBONI PARTS	0.49	881819			D N	MTCE. OF EQUIPME 101.45433.0224
34309 09/12/12 SMALL TOOLS	81.96	883054			D N	SMALL TOOLS 101.43425.0221
34309 09/12/12 MEASURING TAPE	26.72	883106			D N	SMALL TOOLS 101.43425.0221
34309 09/12/12 MTCE TRUCK SUPPLIES	12.53	883443			D N	MTCE. OF EQUIPME 101.43425.0224
34309 09/12/12 SUPPLIES	54.58	884045			D N	GENERAL SUPPLIES 101.45433.0229
34309 09/12/12 SPRAY PAINT	58.48	884603			D N	GENERAL SUPPLIES 101.43425.0229
VENDOR TOTAL	376.10		*CHECK TOTAL			
PERA OF MINNESOTA 34310 09/12/12 STATE RETIREMENT CONT	14,552.00	73763			D N	EMPLOYER PENSION 101.42412.0113
PERKINS LUMBER CO INC 34311 09/12/12 VOLLEYBALL STANDARD	31.42	354133			D N	MTCE. OF OTHER I 101.43425.0226

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VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
PERKINS LUMBER CO INC 000604 34311 09/12/12 SMALL TOOLS VENDOR TOTAL	17.68 49.10 49.10	*CHECK TOTAL	354724		D N	SMALL TOOLS	101.43425.0221
PERSONNEL CONCEPTS 000605 34312 09/12/12 LAMINATED POSTERS	160.75		9318825281		D N	GENERAL SUPPLIES	101.42411.0229
PETE'S COMMUNICATIONS 000610 34313 09/12/12 REPL. HEAD LT/MAP LT 34313 09/12/12 REPL. HEAD LT/MAP LT 34313 09/12/12 CHECKED INVERTER-LABOR VENDOR TOTAL	22.48 64.00 32.00 118.48	0051627 0051627 0051684 *CHECK TOTAL			D N D N D N	MTCE. OF EQUIPME MTCE. OF EQUIPME MTCE. OF EQUIPME	101.42411.0224 101.42411.0334 101.42411.0334
PIONEERLAND LIBRARY SYST 000614 34314 09/12/12 3RD QTR OPERATIONAL B 91,546.75	083012				D N	OTHER CHARGES	101.45426.0449
PLUMBING & HEATING OF WI 000618 34315 09/12/12 INST. WTR FILTER SYSTEM 34315 09/12/12 LEAK REPAIR ON CIRC LINE 34315 09/12/12 LEAK REPAIR ON CIRC LINE 34315 09/12/12 REMOVED DRINKING FOUNTAINS 34315 09/12/12 REMOVED DRINKING FOUNTAINS VENDOR TOTAL	219.00 34.09 210.00 705.22 280.00 1,448.31 1,448.31	15123 15140 15140 15141 15141 *CHECK TOTAL			D N D N D N D N D N	MTCE. OF STRUCTU MTCE. OF STRUCTU MTCE. OF STRUCTU MTCE. OF STRUCTU MTCE. OF STRUCTU	101.43430.0335 101.41408.0225 101.41408.0335 101.45427.0225 101.45427.0335
PROF. TRAINING SERVICES .01916 34316 09/12/12 SAFETY TRAINING	1,000.00		081612		D N	SAFETY PROGRAM	101.42428.0817
QUICK SIGNS 001093 34317 09/12/12 SIGNS FOR FUEL PUMPS 34317 09/12/12 PARK REGULATION SIGN VENDOR TOTAL	35.27 115.43 150.70 150.70	168269 168275 *CHECK TOTAL			D N D N	MTCE. OF OTHER I MTCE. OF OTHER I	101.43425.0226 101.43425.0226
RAMBOW INC 000639 34318 09/12/12 BIKING FOR BABIES-SHIRTS 555.85	506873				D N	OTHER CHARGES	208.45011.0449
REID/AARON .01917 34319 09/12/12 REFUND JERSEY DEPOSIT	30.00		090712		D N	REFUNDS AND REIM	101.41428.0882
RICE HOSPITAL 001166 34320 09/12/12 PROFESSIONAL SERVICES	26.97		1250		D N	PROFESSIONAL SER	101.42411.0446
RICOH USA INC 002101 34321 09/12/12 COPIER LEASE AGRMT	734.23		87627295		D N	RENTS	101.42411.0440

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VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	EX	M	ACCOUNT NAME	ACCOUNT
SERVICE CENTER/CITY OF W			000685											
34324	09/12/12	12	DIESEL-206.2 GALLONS	682.96		STMT/8-12		D	N				MOTOR FUELS AND	101.42412.0222
34324	09/12/12	12	GAS-82.2 GALLONS	298.75		STMT/8-12		D	N				MOTOR FUELS AND	101.42412.0222
34324	09/12/12	12	GAS-111.9 GALLONS	403.31		STMT/8-12		D	N				MOTOR FUELS AND	101.43417.0222
34324	09/12/12	12	DIESEL-1677.3 GALLONS	5,546.30		STMT/8-12		D	N				MOTOR FUELS AND	101.43425.0222
34324	09/12/12	12	GAS-1060.0 GALLONS	3,767.45		STMT/8-12		D	N				MOTOR FUELS AND	101.43425.0222
34324	09/12/12	12	DIESEL-62.7 GALLONS	218.82		STMT/8-12		D	N				MOTOR FUELS AND	101.43430.0222
34324	09/12/12	12	DIESEL-28 GALLONS	92.68		STMT/8-12		D	N				MOTOR FUELS AND	101.45433.0222
34324	09/12/12	12	GAS-61.2 GALLONS	223.88		STMT/8-12		D	N				MOTOR FUELS AND	101.45433.0222
34324	09/12/12	12	GAS-4.74 GALLONS	17.50		STMT/8-12		D	N				MOTOR FUELS AND	651.48474.0222
34324	09/12/12	12	GAS-3.16 GALLONS	11.66		STMT/8-12		D	N				MOTOR FUELS AND	651.48475.0222
34324	09/12/12	12	DIESEL-222.3 GALLONS	748.39		STMT/8-12		D	N				MOTOR FUELS AND	651.48476.0222
			VENDOR TOTAL	40,914.02		*CHECK TOTAL								
				40,914.02										
SETINA MFG CO INC			001607											
34325	09/12/12	12	PUSH BUMPERS/LIGHTS	2,164.10		52500		D	N				MACHINERY AND AU	450.42411.0553
SETON IDENTIFICATION			.01918											
34326	09/12/12	12	FIRST AID KITS	43.60		9318915717		D	N				SAFETY PROGRAM	101.42428.0817
34326	09/12/12	12	FIRST AID KITS	24.80CR		9318958117		D	N				SAFETY PROGRAM	101.42428.0817
			VENDOR TOTAL	18.80		*CHECK TOTAL								
				18.80										
SHORT ELLIOT HENDRICKSON			001987											
34327	09/12/12	12	MISC TRAFFIC SERVICES	879.83		259775		D	N				WORKERS COMP. SE	101.41428.0821
34327	09/12/12	12	MISC TRAFFIC SERVICES	715.41		259776		D	N				WORKERS COMP. SE	101.41428.0821
			VENDOR TOTAL	1,595.24		*CHECK TOTAL								
				1,595.24										
SMEBY/ROSS			002570											
34328	09/12/12	12	MILEAGE 8/1-8/31/12	122.66		090312		D	N				TRAVEL-CONF.-SCH	101.41409.0333
STATEWIDE DISTRIBUTING I			000718											
34329	09/12/12	12	CLEANING SUPPLIES	29.93		095162		D	N				CLEANING AND WAS	101.43430.0228
34329	09/12/12	12	CLEANING SUPPLIES	52.07		095172		D	N				CLEANING AND WAS	651.48474.0228
34329	09/12/12	12	CLEANING SUPPLIES	34.71		095172		D	N				CLEANING AND WAS	651.48475.0228
34329	09/12/12	12	TOILET TISSUE	63.91		095179		D	N				GENERAL SUPPLIES	101.43430.0229
			VENDOR TOTAL	180.62		*CHECK TOTAL								
				180.62										
STEIN'S INC			000720											
34330	09/12/12	12	CLEANING SUPPLIES	53.46		647884		D	N				CLEANING AND WAS	101.43425.0228
SW - WEST CNTRL SERVICES			000892											
34331	09/12/12	12	HEALTH INSURANCE-OCTOB	3,152.63		C256		D	N				EMPLOYER INSUR.	101.41400.0114
34331	09/12/12	12	HEALTH INSURANCE-OCTOB	4,749.00		C256		D	N				EMPLOYER INSUR.	101.41402.0114
34331	09/12/12	12	HEALTH INSURANCE-OCTOB	3,103.50		C256		D	N				EMPLOYER INSUR.	101.41403.0114

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VENDOR NAME AND NUMBER CHECK# DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 EX M	ACCOUNT NAME	ACCOUNT
SW - WEST	CNTRL SERVICES							
34331 09/12/12	HEALTH INSURANCE-OCTOB	3,103.50				D N	EMPLOYER INSUR.	101.41404.0114
34331 09/12/12	HEALTH INSURANCE-OCTOB	6,207.00				D N	EMPLOYER INSUR.	101.41405.0114
34331 09/12/12	HEALTH INSURANCE-OCTOB	1,302.00				D N	EMPLOYER INSUR.	101.41408.0114
34331 09/12/12	HEALTH INSURANCE-OCTOB	3,103.50				D N	EMPLOYER INSUR.	101.41409.0114
34331 09/12/12	HEALTH INSURANCE-OCTOB	450.37				D N	EMPLOYER INSUR.	101.41424.0114
34331 09/12/12	HEALTH INSURANCE-OCTO	10,415.50				D N	RETIRED EMPLOYEE	101.41428.0818
34331 09/12/12	HEALTH INSURANCE-OCTO	27,206.46				D N	INS. PASS THROUG	101.41428.0819
34331 09/12/12	HEALTH INSURANCE-OCTO	45,830.50				D N	EMPLOYER INSUR.	101.42411.0114
34331 09/12/12	HEALTH INSURANCE-OCTO	561.80				D N	EMPLOYER INSUR.	101.42412.0114
34331 09/12/12	HEALTH INSURANCE-OCTO	5,646.00				D N	EMPLOYER INSUR.	101.43417.0114
34331 09/12/12	HEALTH INSURANCE-OCTO	20,511.50				D N	EMPLOYER INSUR.	101.43425.0114
34331 09/12/12	HEALTH INSURANCE-OCTO	1,224.50				D N	EMPLOYER INSUR.	101.45432.0114
34331 09/12/12	HEALTH INSURANCE-OCTO	4,954.00				D N	EMPLOYER INSUR.	101.45433.0114
34331 09/12/12	HEALTH INSURANCE-OCTO	651.00				D N	EMPLOYER INSUR.	101.45437.0114
34331 09/12/12	HEALTH INSURANCE-OCTO	2,227.24				D N	EMPLOYER INSUR.	207.45001.0114
34331 09/12/12	HEALTH INSURANCE-OCTO	10,915.50				D N	EMPLOYER INSUR.	651.48484.0114
34331 09/12/12	HEALTH INSURANCE-OCTO	1,302.00				D N	EMPLOYER INSUR.	651.48485.0114
34331 09/12/12	HEALTH INSURANCE-OCTO	1,302.00				D N	EMPLOYER INSUR.	651.48486.0114
34331 09/12/12	HEALTH INSURANCE-OCTO	157,919.50						
	VENDOR TOTAL	157,919.50						
THOMAS TOOL AND SUPPLY I	001530	25.54		264281		D N	SUBSISTENCE OF P	101.41402.0227
34332 09/12/12	2 HARD HATS							
THOMPSON/JUDY	000949	335.00		090512		D N	TRAVEL-CONF.-SCH	101.41404.0333
34207 09/05/12	MAAO CONFERENCE REGIS.							
TIRES PLUS	000747							
34333 09/12/12	REMOVE/INST. TIRE-PARTS	4.28		225795		D N	MTCE. OF EQUIPME	101.42411.0224
34333 09/12/12	REMOVE/INST. TIRE-LABOR	52.00		225795		D N	MTCE. OF EQUIPME	101.42411.0334
34333 09/12/12	REMOVE/INST. TIRE-PARTS	4.28		226228		D N	MTCE. OF EQUIPME	101.42411.0224
34333 09/12/12	REMOVE/INST. TIRE-LABOR	44.00		226228		D N	MTCE. OF EQUIPME	101.42411.0334
34333 09/12/12	REMOVE/INST. TIRE-PARTS	4.28		226251		D N	MTCE. OF EQUIPME	101.42411.0224
34333 09/12/12	REMOVE/INST. TIRE-LABOR	48.00		226251		D N	MTCE. OF EQUIPME	101.42411.0334
34333 09/12/12	REMOVE/INST. TIRE-LABOR	156.84						
	VENDOR TOTAL	156.84						
TOSHIBA FINANCIAL SERVIC	000218							
34334 09/12/12	COPIER LEASE AGRMT	120.77		082712		D N	RENTS	101.42412.0440
TRAVEL GUIDES FREE	002717							
34335 09/12/12	TRAVEL GUIDE AD	240.57		15471		D N	OTHER CHARGES	208.45010.0449
US BANK	000264							
34336 09/12/12	#157 GO IMP BOND-SC	425.00		3203911		D N	OTHER CHARGES	310.47100.0449
VERIZON WIRELESS	002915							
34337 09/12/12	CELLULAR PHONE USAGE	4.90		STWT/8-12		D N	COMMUNICATIONS	101.41405.0330

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VENDOR NAME AND NUMBER
CHECK# DATE DESCRIPTION

VERIZON WIRELESS 002915
34337 09/12/12 CELLULAR PHONE USAGE
VENDOR TOTAL

WEST CENTRAL COMMUNICATI 000796
34338 09/12/12 ANTENNA-ARROW BOARD
34340 09/12/12 RADIO REPAIR-PARTS
34338 09/12/12 RADIO REPAIR-LABOR
VENDOR TOTAL

WEST CENTRAL PRINTING 000803
34339 09/12/12 ROUTING-MILLER PARK SIGN
VENDOR TOTAL

WEST CENTRAL TRIBUNE 000807
34340 09/12/12 NOTICE PUBLISHED
34340 09/12/12 NOTICE PUBLISHED
34340 09/12/12 ANNUAL SUBSCRIPTION
34340 09/12/12 ANNUAL SUBSCRIPTION
VENDOR TOTAL

WILLMAR CHAMBER OF COMME 000812
34341 09/12/12 DIRECTOR SALARY
34341 09/12/12 ASSISTANT SALARY
34341 09/12/12 FICA & INSURANCE
34341 09/12/12 IRA CONTRIBUTION
34341 09/12/12 PHOTO COPIES-AUGUST
34341 09/12/12 PAYROLL/FLEX FEE
34341 09/12/12 OFFICE RENT-AUGUST
34341 09/12/12 MAIL PICK UP FEB-JULY
VENDOR TOTAL

WILLMAR DESIGN CENTER 002348
34342 09/12/12 STEVENS-AWARDS BANQUET
VENDOR TOTAL

WILLMAR ELECTRIC SERVICE 000816
34343 09/12/12 SIGNAL REPAIR-PARTS
VENDOR TOTAL

WILLMAR FORKLIFT INC 002705
34344 09/12/12 EQUIPMENT RENTAL
VENDOR TOTAL

WILLMAR WATER & SPAS 000831
34345 09/12/12 DRINKING WATER
34345 09/12/12 SOFTENER SALT
34345 09/12/12 SOFTENER SALT
VENDOR TOTAL

AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M	ACCOUNT NAME	ACCOUNT
34.98						
39.88	*CHECK	STMT/8-12		D N	COMMUNICATIONS	101.45432.0330
39.88		TOTAL				
16.03						
5.33		073499S		D N	INVENTORIES-MDSE	101.125000
607.00		073548S		D N	MTCE. OF EQUIPME	101.42412.0224
628.36	*CHECK	073548S		D N	MTCE. OF EQUIPME	101.42412.0334
628.36		TOTAL				
106.88						
		16339		D N	MTCE. OF OTHER I	101.43425.0336
16.56						
22.08		CL03042280		D N	PRINTING AND PUB	101.41401.0331
126.09		CL03043025		D N	PRINTING AND PUB	101.41401.0331
42.06		177838472/9-12		D N	PREPAID EXPENSES	101.128000
206.79	*CHECK	177838472/9-12		D N	SUBSCRIPTIONS AN	101.43425.0443
206.79		TOTAL				
3,785.26						
2,069.48		STMT/8-12		D N	SALARIES-REG. EM	208.45005.0110
1,029.46		STMT/8-12		D N	SALARIES-REG. EM	208.45005.0110
163.56		STMT/8-12		D N	EMPLOYER PENSION	208.45005.0113
68.24		STMT/8-12		D N	EMPLOYER PENSION	208.45005.0113
66.20		STMT/8-12		D N	OFFICE SUPPLIES	208.45005.0220
626.61		STMT/8-12		D N	OTHER SERVICES	208.45005.0339
50.00		STMT/8-12		D N	RENTS	208.45005.0440
7,858.81	*CHECK	36853		D N	POSTAGE	208.45005.0223
7,858.81		TOTAL				
62.50						
		091112		D N	TRAVEL-CONF.-SCH	101.41400.0333
480.40						
		20401		D N	MTCE. OF OTHER I	101.43425.0226
192.38						
		25707		D N	RENTS	101.45427.0440
30.00						
18.17		27986		D N	SUBSISTENCE OF P	101.42412.0227
13.15		27986		D N	GENERAL SUPPLIES	101.42412.0229
61.32	*CHECK	28422		D N	GENERAL SUPPLIES	101.43430.0229
61.32		TOTAL				

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VENDOR NAME AND NUMBER CHECK# DATE DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F S 9 BX M ACCOUNT NAME	ACCOUNT
WM MUELLER & SONS INC 34346 09/12/12 TACK FOR STREET PATCHI 002544	2,225.67		178584		D N MTCE. OF OTHER I 101.43425.0226	

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Vendor Payments History Report
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VENDOR NAME AND NUMBER	CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	S	9	EX	M	ACCOUNT NAME	ACCOUNT
REPORT TOTALS:				7,153,187.55										

RECORDS PRINTED - 000458

Vendor Payments History Report

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FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
101	GENERAL FUND	4,791,121.36
207	W.R.A.C. - 8	2,923.84
208	CONVENTION & VISITORS BUREAU	12,285.01
220	LOCAL OPTION SALES TAX	168,000.00
295	COMMUNITY INVESTMENT	3,000.00
305	D.S. - 2005 BOND	4,000.00
307	D.S. - 2007A BOND	1,000.00
309	D.S. - 2009 BOND	1,000.00
310	D.S. - 2010 BOND	1,425.00
312	D.S. - 2012 BOND	8,000.00
350	RICE HOSPITAL DEBT SERVICE	271,000.00
411	S.A.B.F. - #2011	14,955.00
412	S.A.B.F. - #2012	290,764.79
420	LOCAL OPT SALES TAX PROJECTS	20.00
450	CAPITAL IMPROVEMENT FUND	1,389,361.82
651	WASTE TREATMENT	194,330.73
TOTAL ALL FUNDS		7,153,187.55

BANK RECAP:

BANK	NAME	DISBURSEMENTS
HERT	HERITAGE BANK	7,153,187.55
TOTAL ALL BANKS		7,153,187.55

City of Willmar, Minnesota

Building Inspection Report

From 08/01/2012 To 08/31/2012

No.	Date	Owner and Address	Legal Description	Use	Permit For	Value	Total Fee
20857	8/27/2012	REGENCY PARK MANAGER 401 30th Street NW C-6	95-980-0580 L C-6; B Willmar Regency West Mhp	Mobile Home In/Out Demolition	DEMO - #61009 '72 MODULINE OLYP 14X64 GOLD/WHITE	\$0.00	\$25.00
20858	8/27/2012	REGENCY PARK MANAGER 401 30TH Street NW LOTA-19	95-980-0190 L A-19; B Willmar Regency West Mhp	Mobile Home In/Out Demolition	DEMO - ACC6350 '73 MARSHFIELD 14X70 YELLOW/BROW N	\$0.00	\$25.00
20859	8/27/2012	REGENCY PARK MANAGER 401 30TH Street NW LOT D-4	95-980-0630 L D-4; B Willmar Regency West Mhp	Mobile Home In/Out Demolition	DEMO - #26132 '73 MARSHFIELD 14X70 YELLOW/WHITE	\$0.00	\$25.00
20860	8/27/2012	REGENCY PARK MANAGER 401 30TH Street NW LOT E-9	95-980-0740 L E-9; B Willmar Regency West Mhp	Mobile Home In/Out Demolition	DEMO - S7P163143 '73 DEKCO 14X70 BROWN/WHITE	\$0.00	\$25.00
20871	8/30/2012	JAY & MALLORY CRONEN 1221 11TH Street SE	95-670-0945 L PT OF 4 & VACATED ST; B 5 Pleasant View Addition	New Single-Family Dwelling New Residence	NEW HOME AND GARAGE	\$41,633.85	\$523.57
20935	8/2/2012	JUANA A RAMIREZ 300 Vos Park Drive NW	95-835-0140 L 14; B 1 Vos Park Addition	New Single-Family Dwelling New Residence	NEW HOME AND GARAGE	\$131,199.01	\$1,531.75

No.	Date	Owner and Address	Legal Description	Use	Permit For	Value	Total Fee
20957	8/6/2012	STEVE WOEHLE 1604 19TH Avenue NW	95-604-0180 L 9; B 2 Oslo Meadows	New Single-Family Dwelling New Residence	NEW HOME AND GARAGE	\$224,328.84	\$2,229.31
20960	8/9/2012	MICHAEL DANIELSON 520 12TH Street SW	95-006-7220 L 6; B 111 First Addition	Residential Add/Alter Residential/Alteration	MAJOR INTERIOR ALTERATIONS	\$45,000.00	\$764.15
20961	8/2/2012	VIRGINIA FRIDLUND 809 Mary Avenue SE	95-914-1780 L; B S 14; T 119; R 35	Residential Add/Alter Siding	RESIDENTIAL RESIDE	\$1,400.00	\$50.70
20965	8/6/2012	JOSEPH GIBBS 935 3RD Street SE	95-250-1210 L 11; B 6 Glarum's Addition	Garage/Shed Garage	CONSTRUCT 18' X 22' DETACHED GARAGE	\$15,535.08	\$339.92
20968	8/2/2012	MIKE MERTINS 409 25TH Avenue SW	95-683-0590 L 9; B 5 Portland Acres 3rd Addn	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$5,000.00	\$32.50
20969	8/9/2012	BILL SHEEHAN 2105 6th Avenue SE	95-668-0300 L 20; B 2 Pheasant Run	Residential Add/Alter Residential/Alteration	CONSTRUCT 8- 8' X 24' ADDN.	\$28,500.00	\$554.30
20970	8/2/2012	DAVID GRUIS 324 12TH Street SW	95-006-6900 L PTS. OF 6 & 7; B 109 First Addition	Garage/Shed Garage	ADDN TO EXISTING DET. GAR. 154 SF	\$8,000.00	\$196.15

No.	Date	Owner and Address	Legal Description	Use	Permit For	Value	Total Fee
20971	8/1/2012	JOHN DELUNA 409 13th Street SE	95-184-0620 L 12 & PT OF 13; B 4 Erickson's 3rd Addition	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$7,000.00	\$33.50
20972	8/6/2012	FUFA BIRRU 2000 20TH Avenue SW	95-885-0230 L 3; B 2 Yorctown Estates	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$7,800.00	\$33.90
20974	8/8/2012	KARI REUVERS 1713 6th Street SW	95-700-0330 L 3; B 3 Scandia Terrace Addition	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$2,500.00	\$31.25
20975	8/8/2012	DARRELL RUCH 3408 Eagle Ridge Drive E	95-148-0480 L 6; B 3 Eagles Landing	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$4,000.00	\$32.00
20978	8/2/2012	DEBRA ARNOLD 2413 4TH Avenue SE	95-668-1440 L PT OF 4; B 8 Pheasant Run	Residential Add/Alter Deck	RESIDENTIAL DECK	\$5,409.30	\$159.85
20979	8/3/2012	GORDON A & SHIRLEY BERG 2700 10TH Street SW	95-687-0040 L 4; B 1 Prairie View West	Residential Add/Alter Remodel	ADD BATHROOM	\$6,800.00	\$178.05
20982	8/6/2012	DENIS O RIVERA 619 16th Street SW	95-040-0310 L 11; B 4 Barnstad's Addition	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$1,500.00	\$30.75

No.	Date	Owner and Address	Legal Description	Use	Permit For	Value	Total Fee
20983	8/3/2012	JERONIMO FLORES 911 6TH Street SW	95-090-1130 L 13; B H Booth's Addition	Residential Add/Alter Deck	FRONT LANDING & STEPS	\$550.00	\$33.53
20984	8/6/2012	JOHN BRAUN 1463 Grace Avenue SW	95-080-0070 L 7; B 1 Bon Van Acres	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$7,000.00	\$33.50
20986	8/8/2012	FLOYD & MARLYS BOEDER 372 13th Street SE	95-030-0020 L 2; B A Andersons Addition	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$5,200.00	\$32.60
20987	8/8/2012	MONICA ASHBURN 1601 15TH Avenue SW	95-862-0150 L PT OF LOT 5; B 1 West Park 3rd Addition	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$1,000.00	\$30.50
20988	8/9/2012	FLADEBOE & FLADEBOE, LLP 514 Pacific Avenue SW	95-915-2840 L ; B S 15; T 119; R 35	Commercial Add/Alter Reroofing	REROOF MIDDLE BUILDING	\$10,000.00	\$167.25
20990	8/10/2012	WAYNE & LELONIE HILLENBRAND 1605 16th Avenue NW	95-603-0350 L 24-25; B 2 Oslo Heights	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$4,528.37	\$32.26
20991	8/15/2012	ALLEN MAHLUM 1913 Country Club Drive NE	95-465-0050 L PT OF 5; B 1 Lakewood 1st Addition	Residential Add/Alter Reroofing	RESIDENTIAL REROOF (STORM DAMAGE)	\$8,500.00	\$34.25

No.	Date	Owner and Address	Legal Description	Use	Permit For	Value	Total Fee
20992	8/14/2012	NOE & NORMA CARRANZA 1013 19th Avenue SE	95-143-0440 L 4; B 3 Dana Heights 2nd, 3rd	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$7,652.00	\$33.83
20995	8/14/2012	MARTA C KLUKAS 414 15th Street SW	95-916-3450 L ; B S 16; T 119; R 35	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$3,000.00	\$31.50
20998	8/16/2012	TO YOUR HEALTH 501 1ST Street S	95-012-0400 L 1-2; B E Third Addition	Commercial Add/Alter Commercial/Alteration	REMODEL EXISTING SPACE FOR NUTRITION CENTER	\$3,000.00	\$124.84
21000	8/17/2012	KANDI. CO. HUMANE SOCIETY 250 28TH Street SW	95-872-1060 L 7; B 1 Willmar Ind. Park 3rd Add	Commercial New Commercial	CONSTRUCT 17' X 42' ROOF OVER KENNELS	\$3,045.81	\$145.48
21001	8/15/2012	APPLE AMERICA GROUP FRANK 2901 1ST Street S	95-926-0025 L ; B S 26; T 119N; R 35W	Commercial Add/Alter Commercial/Alteration	CONSTRUCT 474 SF ADDN.	\$120,000.00	\$1,688.96
21002	8/24/2012	HABITAT FOR HUMANITY 909 20TH Avenue SE	95-138-0100 L 10; B 1 Countryside Addition	New Single-Family Dwelling New Residence	NEW HOME AND GARAGE	\$150,631.44	\$1,674.47
21004	8/17/2012	APPLE MINNESOTA LLC 2901 1ST Street S	95-926-0025 L ; B S 26; T 119N; R 35W	Commercial Add/Alter Commercial/Alteration	INT. / EXT. RENOVATION	\$25,000.00	\$589.59

No.	Date	Owner and Address	Legal Description	Use	Permit For	Value	Total Fee
21005	8/22/2012	QUICK STOP PROPERTIES 1201 1st Street S	95-914-1470 L ; B S 14; T 119N; R 35W	Move/Raze Removal/Building	REMOVE BLDG FOR NEW CONSTRUCTION	\$0.00	\$150.00
21006	8/24/2012	QUICK STOP PROPERTIES 1201 1ST Street S	95-914-1470 L ; B S 14; T 119N; R 35W	Commercial New Commercial	CONSTRUCT 3569 SF NEW BURGER KING RESTAURANT	\$356,068.38	\$3,762.24
21010	8/17/2012	KOTZY BROTHERS, LLC 410 Rice Avenue SW	95-280-0080 L PT OF 7; B 1 Hanson's Addition	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$1,450.00	\$30.73
21011	8/20/2012	DAVID EICHHORST 2305 Country Club Drive NE	95-137-0110 L 11 & PT OF 12; B 1 Country Club Terrace	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$3,000.00	\$31.50
21013	8/27/2012	WATER EDGE APTS 420 30TH Street NW	95-909-0160 L ; B S 9; T 119N; R 35W	Commercial Add/Alter Commercial/Alteration	REPAIR GARAGE WALLS	\$860.00	\$53.23
21014	8/20/2012	KENT GJERDE 1312 13th Street SW	95-690-0930 L 3; B 5 Ramblewood Addition	Garage/Shed Garage	CONSTRUCT 24' X 26' DETACHED GARAGE	\$24,479.52	\$501.89
21016	8/23/2012	SORAYA CAMPOS 318 12TH Street NW	95-009-1290 L PTS. OF 10 & 11; B 134 Second Addition	Residential Add/Alter Reroofing	RESIDENTIAL REROOFING	\$600.00	\$30.30

No.	Date	Owner and Address	Legal Description	Use	Permit For	Value	Total Fee
21017	8/23/2012	SUE PETERSON 1109 Trott Avenue SE	95-500-0100 L 10, PTS. OF 11; B 000 Marlow's Addition	Residential Add/Alter Reroofing	RESIDENTIAL REROOFING	\$6,000.00	\$33.00
21018	8/22/2012	SCOTT SMIDT 2012 7TH Street SW	95-340-0340 L PTS. OF 4; B 3 Hilltop Park Addition	Residential Add/Alter Residential/Alteration	REMOVE INTERIOR BEARING WALL	\$1,000.00	\$48.55
21019	8/24/2012	NORTHERN STATES SUPPLY 600 Industrial Drive SW	95-870-0040 L PTS. OF 3 - 4; B 1 Willmar Industrial Park	Commercial Add/Alter Commercial/Alteration	INTERIOR REMODEL	\$25,000.00	\$589.59
21022	8/24/2012	SNJ PROPERTIES LLC 501 36TH Street NW	95-833-0280 L 8; B 3 Valley Brook Estates	New Single-Family Dwelling New Residence	NEW HOME AND GARAGE	\$161,364.14	\$1,756.83
21026	8/27/2012	KEITH VOSS 908 Pleasantview Drive SE	95-671-0860 L 6; B 5 Pleasant View 2nd Addn	Residential Add/Alter Repair	FOUNDATION REPAIR / ANCHORS	\$6,510.00	\$177.91
21027	8/23/2012	THOMAS VENAAS 1700 7TH Street SW	95-664-0610 L 11 & PT OF 12; B 4 Perkin's 4th Addition	Residential Add/Alter Reroofing	RESIDENTIAL REROOFING	\$4,730.00	\$32.37
21030	8/30/2012	NICK TRAVAGLIO 1508 4TH Street NE	95-467-0510 L 1; B 2 Lakewood 4th Addition	Residential Add/Alter Deck	CONSTRUCT DECK AND GAZEBO	\$10,000.00	\$232.15

No.	Date	Owner and Address	Legal Description	Use	Permit For	Value	Total Fee
21032	8/29/2012	WAYNE KITZMANN 1113 17TH Street SW	95-550-0160 L 16; B Newberg's Addition	Residential Add/Alter Reroofing	RESIDENTIAL REROOFING	\$4,600.00	\$32.30
21033	8/29/2012	CARROLL W JACOBSON 801 11TH Avenue SE	95-230-0160 L 16; B 1 Gesch Addition	Residential Add/Alter Siding	RESIDENTIAL RESIDING & WINDOWS	\$15,900.00	\$57.95
21035	8/31/2012	JEAN L GOEDERT 801 18th Street SW	95-042-0600 L PT OF 3-4; B 2 Barnstad's 2nd Addition	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$5,500.00	\$32.75
21036	8/28/2012	DIANE OSTERAAS 814 5TH Street SE	95-250-0640 L 4 & PT OF 5; B 4 Glarum's Addition	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$2,100.00	\$31.05
21037	8/30/2012	LONNIE GIESEKE 811 2ND Street SE	95-020-0140 L PT OF 8; B 2 Fifth Addition	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$1,600.00	\$30.80
21046	8/31/2012	PRESBYTERIAN FAMILY FOUNDATIO 832 Pleasantview Drive SE	95-671-0890 L 9; B 5 Pleasant View 2nd Addn	Residential Add/Alter Siding	RESIDENTIAL RESIDE	\$5,900.00	\$52.95
21047	8/31/2012	JOYCE STROM 2508 9th Street SW	95-686-0050 L 5; B 1 Prairie View Estates	Residential Add/Alter Reroofing	RESIDENTIAL REROOF	\$10,000.00	\$35.00

No.	Date	Owner and Address	Legal Description	Use	Permit For	Value	Total Fee
Current Year Current Month Totals							
				55		\$1,531,375.74	\$19,177.29
Previous Year Current Month Valuation							
						\$1,395,608.92	
Current YTD Valuation From 01/01/2012 To 08/31/2012							
						\$10,986,590.68	
Previous YTD Valuation							
						\$8,632,114.37	

**FINANCE COMMITTEE REPORT
CITY OF WILLMAR
MONDAY, SEPTEMBER 10, 2012**

The Finance Committee of the Willmar City Council met at 6:06 p.m. on Monday, September 10, 2012, in the Willmar Municipal Utilities Auditorium. Vice-Chair Rick Fagerlie called the meeting to order.

Members Present:	Rick Fagerlie Vice-Chair
	Tim Johnson Member
	Jim Dokken Member
	Bruce Deblieck Member
	Charlene Stevens City Administrator
	Steve Okins City Finance Director
	Kevin Halliday City Clerk-Treasurer

Others present included Charles Oakes of West Central Industries; North American State Bank Loan Officer Justin Schnichels, Mayor Frank Yanish; West Central Tribune Journalist David Little; and Accounting Supervisor Carol Cunningham.

Item No. 1 – West Central Industries Conduit Financing (Motion)

Charles Oakes of West Central Industries (WCI) explained to the Committee that WCI had received conduit financing through the City of Willmar in 2005 for a \$1.1 million Private Revenue Note which allowed them to accomplish a significant expansion to their building. With the current low interest rates available, WCI has obtained preliminary approval through North American State Bank for Tax-Exempt Revenue Bonds to refinance the remaining balance of \$473,095 at a fixed interest rate of 2.35% over 7 years subject to City of Willmar approval. It was noted that this type of bond financing has no impact on the City's bond rating. Following discussion, it was moved by Council Member Deblieck, seconded by Council Member Dokken and passed to make the following:

RECOMMENDATION: to make a motion approving the West Central Industries Tax-Exempt Revenue Note for \$473,095 through North American State Bank as proposed.

Item No. 2 – LOST Notification (Motion)

Staff explained to the Committee that the City's Local Option Sales Tax is due to sunset at the end of 2012. It was being recommended that a letter be sent to the Minnesota Department of Revenue notifying them of this termination. Further, City Ordinance No. 1097 establishing this tax needs to be repealed. Following discussion, it was moved by Council Member Deblieck, seconded by Council Member Johnson and passed to make the following:

RECOMMENDATION: to direct staff to submit notification to the Minnesota Department of Revenue that the City of Willmar's Local Option Sales Tax will be ending on December 31, 2012; to introduce an ordinance to repeal the local option sales tax and excise tax from the municipal code, and to set a public hearing for October 1, 2012.

Item No. 6 – Reports (Information)

The Committee reviewed the August Local Option Sales Tax, WRAC-8, and CVB Reports and the July Rice Hospital Report. This matter was for information only.

Item No. 7 – Future Agenda Items (Information)

Future agenda items scheduled for September 24, 2012, include: 1) Mayor/Council Salaries; and 2) Fund Balance. Agenda items scheduled for October 22, 2012, include the HRA Budget Presentation. Agenda items scheduled for November 26, 2012, include budget presentations by Rice Hospital and MUC.

There being no further business to come before the Committee, the meeting was adjourned at 6:20 p.m. upon motion by Council Member Dokken, second by Council Member Johnson, and carried.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Carol Cunningham".

Carol Cunningham
Accounting Supervisor

Willmar
1300 SW 22nd Street
P.O. Box 813
Willmar, MN 56201
Phone: 320-235-5310
Fax: 320-235-5376



JobLink

Connecting Businesses & Workers

Donate Today at: <http://givemn.razoo.com/story/West-Central-Industries>

Hutchinson
900 Highway 15 South
Hutchinson, MN 55350
Phone: 320-234-7515
Fax: 320-234-7317

08/01/2012

*Rec'd
8/13/12
3:35 p.m.
HJ*

Finance Director
City of Willmar
333 SW 6th Street
Willmar, MN 56201

RE: 501© (3) Revenue Bond Refinancing Request

Dear City of Willmar,

West Central Industries, Inc. is a 501©(3) nonprofit corporation that finds work and jobs for adults with diagnosed disabilities that are referred to us by county social service agencies or the MN Department of Employment and Economic Development Rehabilitation Services Branch. For the last 40 years we have also partnered with the City of Willmar to provide the Meals on Wheels Nutrition Program for citizens of Willmar that cannot prepare their own meals for reasons of age or disability.

Meals on Wheels has grown substantially over the years because people are living longer, people are staying in their homes longer and families are spread out and farther apart in 2012 than they were in 1972. In 2005 we responded to the growth in the Meals on Wheels Program by doubling the size of our licensed commercial kitchen. This remodel and addition project was accomplished through a public fund drive that the city generously supported and through a tax exempt Private Revenue Note that the city hosted. The 501© (3) financing was guaranteed by a 20 year fixed rate mortgage from Wells Fargo Bank Corporation on November 29, 2005 in the amount of \$1,100,000.00 at a rate of 5.338%. At that time, that was a very competitive interest rate.

Now it is 2012 & it is seven years later. We have been current on all our payments and we remain committed to the Meals on Wheels Program and the upkeep of our licensed kitchen. We are grateful for the support of the City of Willmar, the United Way, Kandiyohi County, and the hundreds of volunteer drivers that make this system possible. The expanded kitchen was definitely needed and it is serving our needs.

Budgets are tight however and we are always looking for ways to reduce costs, control our budget, and increase cash flow. We recently put out a written request to local lenders to quote a refinance on the debt and have reached a preliminary agreement with North American State Bank that is contingent on the City of Willmar approving a



MN Relay Service: 1-800-627-3529

www.westcentralindustries.com

EEO/AA



refinance of the Tax Exempt Revenue Note. The current principal and proposed new financing costs would have West Central Industries, Inc. pay down \$400,000.00 in principal from cash reserves and borrow the remaining \$473,095.00 at a fixed interest rate of 2.35% over a 7 year term to pay off the entire debt 5 years sooner than the original note and save us significant expenses in interest costs.

To repeat, this refinance would have the city bonding limits covering \$400,000.00 less debt and would pay off the entire obligation in 7 years instead of the 13 years remaining on our existing Tax Exemption Revenue Note with Wells Fargo. It is a Win Win.

If you have any questions for us, please let me know. Otherwise, if this seems like a reasonable proposal, let me know and we will provide the completed application and indemnification forms and fee required in your Procedure for Application for Qualified 501©(3) Revenue Bond Financing.

Thanks,



Charles N. Oakes

Executive Director

320-235-5310 #203

CC: Charlene Stevens, City Administrator

Justin Schnichels, Business Banker, North American State Bank



MN Relay Service: 1-800-627-3529

www.westcentralindustries.com

EEO/AA





1300 22ND STREET SW
PO BOX 813
WILLMAR, MN 56201

BREMER BANK, N.A.
WILLMAR, MN 56201

124210

75-137/919

DATE

AMOUNT

0124210 08/10/2012 *****\$2,500.00

TWO THOUSAND FIVE HUNDRED AND 00/100 DOLLARS

THE
CITY

CITY OF WILLMAR
CITY OFFICE BUILDING
333 SW 6TH ST
PO BOX 755
WILLMAR MN 56201

RUB RED IMAGE
FIDES WITH HEAT

1 SECURITY FEATURES INCLUDED. DETAILS ON BACK. 1

11 124210 1091901370 1004003031

WEST CENTRAL INDUSTRIES

Vendor No. Vendor Name
WILCIT CITY OF WILLMAR

check 124210
0124210

Check Date	Reference	PO No.	Gross Amount	Discount	Net Amount
06/2012	120806ST		2500.00	.00	2500.00

Conduit Financing App. Fee
101.34350.1601

Check Date	Check No.	Total Gross	Total Disc.	Check Amount
10/2012	0124210	2500.00	.00	2500.00

North American state bank

— Value and Innovation . . . for you! —

Belgrade Office
PO Box 189
Belgrade, MN 56312
320.254.8271 | 888.254.8271
320.254.8274 [fax]

Elrosa Office
PO Box 94
Elrosa, MN 56325
320.697.5533 | 888.697.5533
320.697.5535 [fax]

Willmar Office
2800 South First Street
Willmar, MN 56201
320.235.7000 | 888.235.7035
320.235.3105 [fax]

nasbank.com

August 10, 2012

Finance Director
City of Willmar
333 SW 6th St.
Willmar, MN 56201

RE: West Central Industries, Inc. Revenue Bond request

Dear City of Willmar,

North American State Bank has been in discussion with West Central Industries, Inc (WCI) pertaining to the refinance of their current building located at 1300 SW 22nd St. in Willmar. After thorough analysis and underwriting, the bank has approved WCI for financing via the bank purchasing tax exempt Revenue Bonds from the City of Willmar subject to its approval of WCI's request for \$473,095 in bond financing.

The proposed debt refinance is economically feasible as WCI is paying down the current outstanding debt by \$400,000 out of its own cash balances, leaving a balance owed of \$473,095 compared to a Kandiyohi County tax assessed building value of \$1,310,300 or a loan to value of 37%. WCI has proven to be financially viable as evidenced by its liquidity and net assets demonstrated on its audited financial statements as well as its loan performance over the past 7 years with Wells Fargo.

If you have any questions or need anything else from me, please call me at 320.441.6260. I look forward to speaking with you soon.

Sincerely,



Justin A. Schnichels
Business Banker

PART IV

APPLICATION FOR
TAX-EXEMPT FINANCING

(Commercial, Industrial, Private Education or Health Care)

1. APPLICANT

- a. Business Name: West Central Industries, Inc.
- b. Business Address: 1300 22nd St. SW, P.O. Box 813, Willmar, MN 56201
- c. Business Form. (corporation, partnership, sole proprietorship, etc.):
- d. Authorized Representative: Non Profit Corporation
- e. Principal contact person and telephone number: Charles N. Oakes, Executive Director, 320-235-5310 Ext. 203

2. PURPOSE OF REQUESTED FINANCING:

- a. New Facility (describe):
- b. Expansion (describe):
- c. Refunding (attach explanatory letter) See Attached

3. GIVE BRIEF DESCRIPTION OF NATURE OF BUSINESS, PRINCIPAL PRODUCTS, ETC.: Non Profit Corporation that finds work and jobs for adults with disabilities. We also operate the Willmar Meals on Wheels Program and we manage the Kandiyohi Recycling Center.

4. ESTIMATED PROJECT COSTS: (Not required for refunding)

Land	\$	
Building Refinance		<u>\$473,095.00</u>
Equipment		
Architectural, Engineering		
Costs of Issuance		
Capitalized Interest, including discount		
Other		
Total Financing Requested		<u>\$473,095.00</u>

5. AMOUNT OF FINANCING REQUESTED: \$ _____ (____ % of project costs)

6. TYPE OF FINANCING PROPOSED:

Bonds _____ Tax Exempt Mortgage X

Expected Term of Financing 7 Years

Security:

Mortgage _____

Letter of Credit _____

Guaranty (third party) _____

Guaranty (personal) _____

Unsecured _____

Other (specify) _____

7. BUSINESS PROFILE: (Not required for refunding)

a. Is the business located in the City of Willmar now? Yes

b. Number of employees in City:

1) Before this project:

2) After this project: 59 Staff, 271 Clients

c. Approximate annual sales: \$4.2 Million

d. Length of time in business: 50 Years

Length of time in business in City: 50 Years

e. Do you have plants in other locations? If so, where? Yes, Hutchinson, MN

8. NAMES OF:

a. Underwriter (name and contact person): North American State Bank

b. Corporate Counsel: Dan Honsey, Kraft, Walser, Hettig, Honsey &
Box 129, Hutchinson, MN Kleiman

c. Underwriter's Counsel:
North American State Bank

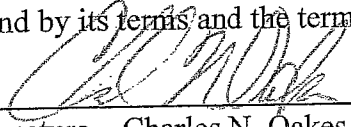
9. WHAT IS YOUR TARGET DATE FOR:

- a. Construction start: Not Applicable
- b. Construction completion:

10. Attachments:

- a. Project description: Refinance
- b. Necessary State or Federal approvals, together with required attachments
- c. Initial application fee
- d. Indemnification Letter of Agreement

I certify that the information provided above contains no misrepresentations, omissions or concealments of material facts and that the information given is true and complete to the best of my knowledge. I have been furnished a copy of the Procedure for Application to the City of Willmar for Private Activity Revenue Bond Financing and is aware of its content and agree to be bound by its terms and the terms of the indemnification letter.


Signature Charles N. Oakes

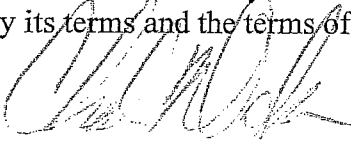

Date

Title: Executive Director

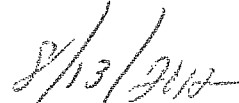
ADDITIONAL INFORMATION:

Refinance to lower interest rate. Shorten
term length and pay down principal.

I certify that the information provided above contains no misrepresentations, omissions or concealments of material facts and that the information given is true and complete to the best of my knowledge. I have been furnished a copy of the Procedure for Application to the City of Willmar for Private Activity Revenue Bond Financing and is aware of its content and agree to be bound by its terms and the terms of the indemnification letter.



Signature Charles N. Oakes



Date

Title Executive Director

PART VII

INDEMNIFICATION LETTER OF AGREEMENT

The Mayor of the City of Willmar
and Members of the City Council
City of Willmar
333 SW 6th Street
Willmar, MN 56201

RE: Application of West Central Industries, Inc. for Tax Exempt Revenue Bond Financing by the City of Willmar

Dear Mayor and Members of the City Council:

This letter of agreement is given by West Central Industries, Inc., a Nonprofit Corporation under the laws of Minnesota ("Applicant") as required by the City of Willmar, Minnesota in connection with its consideration of an application for tax exempt revenue bond financing for the project described in the application.

Applicant agrees as follows:

1. Applicant agrees to pay or reimburse the City for any and all costs and expenses which the City may incur in connection with its consideration of the project and the granting of tax exempt revenue bond financing therefore, whether or not the project is preliminarily approved by the City, whether or not the project is approved by the State of Minnesota, whether or not revenue bond financing is finally approved by the City, whether or not the bonds are issued and sold, and whether or not the project is carried to completion.
2. Applicant agrees to indemnify and hold the City, its officers, employees and agents harmless against any and all losses, claims, damages, expenses or liabilities, including attorneys fees incurred in their defense, to which the City, its officers, employees and agents may become subject in connection with the City's consideration, issuance or sale of the bonds for Applicant's project and the carrying out of the transactions contemplated by this agreement and any resolutions adopted, or agreements executed by the City in connection with the issuance of its bonds for this project.
3. Applicant hereby releases the City, its officers, agents and employees from any claims, causes of action, losses, damages, or liabilities which it may have against the City, its officers, agents, and employees or which it may incur in connection with: the City's consideration of the application for industrial development revenue bond financing for Applicant's project; the failure of the City, in its discretion, to issue tax-exempt revenue bonds for Applicant's project; the issuance and sale of the bonds; the construction of the project; or any other matter or thing of any type or nature whatsoever which may arise in connection with the foregoing.

4. Applicant is aware of the City's application and administrative fee structure for tax exempt financing and agrees and covenants that all such fees will be paid in the amount and at the times required.

Dated: 8/13/2012

(Applicant)

By



Charles N. Oakes

Its Executive Director

ORDINANCE NO. 1097

AN ORDINANCE ADOPTING A SALES AND USE TAX AND A MOTOR VEHICLE EXCISE TAX FOR THE CITY OF WILLMAR.

The City Council of the City of Willmar does ordain as follows:

SECTION 1. AUTHORITY.

The Minnesota legislature has, by laws of Minnesota for 1997, Chapter 231, Article 7, Section 41, authorized the City of Willmar to impose an additional sales and use tax, and a motor vehicle excise tax within the City to provide revenues to pay certain costs related to the acquisition, construction and improvement of public library facilities, including securing and paying debt service on bonds. The City of Willmar approved the Act in accordance with applicable law.

SECTION 2. DEFINITIONS

The words, terms and phrases used in this Ordinance shall have the meaning ascribed to them in Minnesota Statutes, Section 297A.01, except where the context clearly indicates otherwise. In addition, the following definitions shall apply:

- a. Act means laws of Minnesota for 1997, Chapter 231, Article 7, Section 41, as amended;
- b. City means the City of Willmar;
- c. Commissioner means the Commissioner of Revenue for the State of Minnesota acting under the authority of an agreement entered into between the City and the State of Minnesota pursuant to the Act, or such other person or entity designated to administer and collect the Willmar Sales and Use Tax;
- d. Willmar Sales and Use Tax means the sales and use tax imposed and collected pursuant to this Ordinance;
- e. Ordinance means this ordinance in its present form and as subsequently codified in the Willmar City Code;
- f. Retailer maintaining a place of business in the City or any like term shall mean any retailer having or maintaining within the City, directly or by a subsidiary, an office, place of distribution, sales or sample room or place, warehouse or other place of business, or having any representative, agent, sales person, canvasser or solicitor operating in the City under the authority of the Retailer or its subsidiary, for any purpose, including the repairing, selling, delivering, installing, or soliciting of orders of the Retailer's goods or services, or the leasing of tangible personal property located in the City, whether the place of business or agent, representative, sales person, canvasser, or solicitor, is located in the City permanently or temporarily, or whether or not the Retailer or subsidiary is authorized to do business within the City.
- g. Motor vehicle has the meaning given to it by Minnesota Statute Section 297B.01, Subd. 5.
- h. Motor vehicle excise tax means the \$20.00 per vehicle tax imposed and collected pursuant to this Ordinance.

SECTION 3. SALES AND USE TAX.

Except as otherwise provided in this Ordinance, there is hereby imposed an additional excise tax in the amount of one-half of one percent on the gross receipts from the sales at retail, and the storage, use, distribution or consumption of goods or services which are taxable, pursuant to Minnesota Statutes, Chapter 297A and occur within the City of Willmar. The imposition, administration, collection and enforcement of this tax shall be governed by the provisions of Minnesota Statute Section 297A.48.

SECTION 4. SEPARATE STATEMENT; COLLECTION FROM PURCHASER; ADVERTISING NO TAX; MINIMUM UNIFORM TAX COLLECTION METHODS.

The Willmar Sales and Use Tax shall be stated and charged separately from the sales price or charge for service insofar as practical, and should be a debt from the purchaser to the seller recoverable at law in the same manner as other debts. In computing the tax to be collected as a result of any transaction, any amount of tax less than one-half of one cent may be disregarded and amounts of tax one-half cent or more may be considered an additional cent. If the sales price of any sale at Retail is ninety-nine cents or less, no tax shall be collected.

SECTION 5. EXEMPTION CERTIFICATES.

An exemption certificate taken in good faith from a purchaser to the effect that the property purchased is for resale or that the sale is otherwise exempt from the application of the tax imposed by this Ordinance will conclusively relieve the Retailer from collecting and remitting the tax. A person who has obtained from the Commissioner an exemption certificate pursuant to Minnesota Statute Section 297A.11 may use such exemption certificate for the purposes of the sales tax imposed by the City.

SECTION 6. PRESUMPTION OF PURPOSE OF SALE.

For the purpose of the proper administration and enforcement of Section 3 of this Ordinance, it shall be presumed that all retail sales for delivery in the City are for storage, use, or other consumption in the City until the contrary is established.

SECTION 7. COLLECTION OF SALES AND USE TAX AT TIME OF SALE.

- a. Any Retailer making deliveries within the City, any Retailer maintaining a place of business in the City, or any other Retailer otherwise doing business within the City, upon making sales or any items described in Section 3 which are not exempted from the sales tax imposed under that section and which are to be delivered or caused to be delivered within the City to the purchaser, shall at the time of making such sales collect the Sales and Use Tax from the purchaser. The tax collected by such retailer shall be remitted to the Commissioner on behalf of the City.
- b. Any Retailer required to collect the Willmar Sales and Use Tax and remit such tax to the Commissioner pursuant to this section shall register with the Commissioner and provide such other information as the Commissioner may require.

SECTION 8. AGENT OF RETAILER.

When in the opinion of the Commissioner it is necessary for the efficient administration of the tax, the Commissioner may regard any salesman, representative, trucker, peddler, or canvasser as the agent of the dealer, distributor, supervisor, employer or other person under whom such salesman, representative, trucker, peddler or canvasser operated or from whom the tangible property is being sold is obtained, and may regard the dealer, distributor, supervisor, employer or other person as a Retailer for the purposes of this Ordinance.

SECTION 9. MOTOR VEHICLE EXCISE TAX.

There is hereby imposed an additional excise tax in the amount of \$20.00/vehicle on the sale of new and used motor vehicles by any person engaged within the City in the business of selling motor vehicles at retail. The excise tax shall be stated and charged separately and collected by the Retailer and remitted monthly to the Willmar City Clerk. Each retail seller of motor vehicles shall complete and submit with each monthly payment of the excise tax such forms as may be required by the City Clerk. Except to the extent that they may be inconsistent herewith, all provisions of this Ordinance shall also apply to the motor vehicle excise tax. The motor vehicle excise tax collected each month by a retail seller of vehicles shall be remitted to the City Clerk on or before the 15th day of the following month.

SECTION 10. EFFECTIVE DATE, TRANSITIONAL SALES.

Except as otherwise provided herein, the Willmar Sales and Use Tax authorized by this Ordinance shall apply to sales made on or after January 1, 1998, and shall be in addition to all other taxes now in effect. The Willmar Sales and Use Tax shall not apply to the following:

- a. The gross receipts from retail sales or leases of tangible personal property made pursuant to a bona fide written contract which unconditionally vests the rights and obligations of the parties thereto, provided that such contracts were enforceable prior to January 1, 1998, and that delivery of the tangible personal property subject thereto is made on or before February 28, 1998.
- b. The gross receipts from retail sales made pursuant to bona fide lump sum or fixed price construction contract which unconditionally vests the rights and obligations of the parties thereto and which does not make provision for allocation of future taxes, provided that such contract was enforceable prior to January 1, 1998, and the delivery of the tangible personal property used in performing such construction contract is made before January 1, 1999.
- c. Payments made prior to January 1, 1998, for contracts to provide taxable services, provided that such contracts were enforceable prior to January 1, 1998, however, the Willmar Sales and Use Tax shall apply to payments made pursuant to such contracts to provide services on and after February 1, 1998.
- d. Utility bills that include charges for services for any date before January 1, 1998, however, the Willmar Sales and Use Tax shall apply to all utility bills for services provided after January 1, 1998.

SECTION 11. COLLECTION AND ENFORCEMENT.

The Willmar Sales and Use Tax imposed by the City pursuant to this Ordinance shall be subject to the same interests, penalties, and other rules as are applicable to the State general sales and use tax imposed by Minnesota Statutes Chapter 289A and 297A. The Willmar Sales and Use Tax imposed by the City pursuant to this Ordinance may be collected by the State on behalf of the City as provided by an appropriate agreement with the Minnesota Commissioner of Revenue.

SECTION 12. TAX CLEARANCE ISSUANCE OF LICENSES.

The City may not issue or renew a license for the conduct of a trade or business in the City if the Commissioner notifies the City that the applicant for such license owes delinquent Willmar Sales and Use Taxes as provided in this Ordinance, or penalties or interest due on such taxes. For the purposes of this Section 11, the following terms have the following meanings:

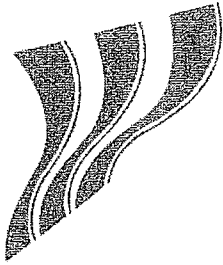
- a. Willmar Sales and Use Taxes include sales and use tax as provided

in this Ordinance. Penalties and interest are penalties and interest due on taxes included in this definition.

- b. Delinquent taxes do not include a tax liability if:
 - i. in administrative or court action which contests the amount of validity or the liability has been filed or served;
 - ii. the appeal period to contest tax liability has not expired; or
 - iii. the applicant has entered into a payment agreement and is current with the payments.
- c. Applicant means an individual if the license is issued to or in the name of an individual or the corporation, partnership, or other entity if the license is issued to or in the name of a corporation, partnership or other entity.

A copy of the notice of delinquent taxes given to the City shall also be sent to the applicant taxpayer. In the case of renewal of a license, if the applicant requests a hearing in writing, within thirty (30) days of the receipt of the notice of delinquent taxes, then a contested case hearing shall be held by the Commissioner under the same procedures as provided in Minnesota Statutes, Section 270.72 for the State sales and use tax imposed under Minnesota Statutes, Chapter 297A, provided that if a hearing must be held on the State sales and use tax, hearings may be combined.

This Ordinance introduced by Councilman	<u>Reese</u>	.
This Ordinance introduced on	<u>September 17, 1997</u>	.
This Ordinance published on	<u>September 23, 1997</u>	.
This Ordinance given a hearing on	<u>October 1, 1997</u>	.
This Ordinance adopted on	<u>October 1, 1997</u>	.
This Ordinance published on	<u>October 8, 1997</u>	.



**City of Willmar
Local Option Sales Tax
Balance Sheet As of August 31, 2012
As of 09/04/12**

Assets

Cash	\$ 214.56
Investments	7,518,810.06
Taxes Receivable	-
Due From C.P.-Airport	-
Interest Receivable	-

Total Assets	\$ 7,519,024.62
---------------------	------------------------

Liabilities

Due to C.P. LOST	\$ -
Due to Other Governmental Units	-

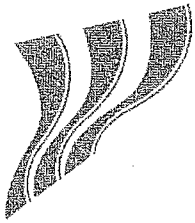
Total Liabilities	-
--------------------------	----------

Fund Balance

Restricted Fund Balance	7,519,024.62
Restricted Fund Balance - LOST	-
Restricted Fund Balance - EDA	-

Total Fund Balance	7,519,024.62
---------------------------	---------------------

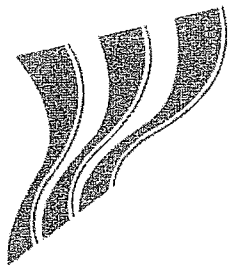
Total Liabilities and Fund Balance	\$ 7,519,024.62
---	------------------------



**City Of Willmar
Local Option Sales Tax
Comparative Income and Expense Statement
For the Period Ending August 31, 2012
(As of 09/04/12)**

	<u>Budget</u>	<u>2012 Actual</u>	<u>2011 Actual</u>
<u>Revenues</u>			
Sales/Use Tax	\$ 1,800,000.00	\$ 827,127.16	\$ 802,639.12
Excise Tax	50,000.00	27,620.00	30,090.00
Interest Earnings	75,000.00	60,729.32	25,668.22
Market Value Adjustment	-	16,471.95 *	46,856.82 *
Refunds/Reimbursements	-	160.00 *	-
Transfer In - C.P. Airport	-	330,716.00 *	-
Total Revenues	\$ 1,925,000.00	\$ 1,262,824.43	\$ 905,254.16
<u>Expenditures</u>			
Other Charges	\$ -	\$ 13,561.99 *	\$ 11,311.68 *
Transfer Out - Industrial Dev.	5,868,889.00	-	-
Transfer Out - C.P. 2010	-	-	-
Refunds/Reimbursements	-	160.00 *	-
Market Value Adjustment	-	13,068.21 *	16,637.41 *
Total Expenditures	\$ 5,868,889.00	\$ 26,790.20	\$ 27,949.09
Net Income (Loss)	\$ (3,943,889.00)	\$ 1,236,034.23	\$ 877,305.07
Fund Balance January 1	6,282,990.39	6,282,990.39	2,416,756.29
Prior Period Adjustment	-	-	-
Fund Balance August 31	\$ 2,339,101.39	\$ 7,519,024.62	\$ 3,294,061.36

* Indicates Over Budget



City of Willmar
Local Option Sales Tax Capital Projects Fund
Balance Sheet As of August 31, 2012
(As of 09/04/12)

Assets

Cash	\$ 16,095.06
Due From LOST Special Revenue Fund	-
Due From Other Governmental Units	-

Total Assets	\$ 16,095.06
---------------------	---------------------

Liabilities

Deferred Revenue	\$ -
------------------	------

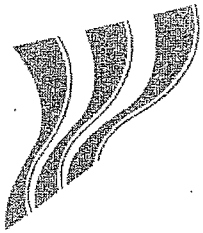
Total Liabilities	-
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Fund Balance

Designated - Civic Center Connection	3,675.14
Assigned Fund Balance	12,419.92

Total Fund Balance	16,095.06
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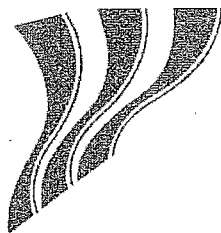
Total Liabilities and Fund Balance	\$ 16,095.06
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City Of Willmar
Local Option Sales Tax Capital Projects Fund
Comparative Income and Expense Statement
For the Period Ending August 31, 2012
(As of 09/04/12)

	<u>Budget</u>	<u>2012 Actual</u>	<u>2011 Actual</u>
<u>Revenues</u>			
Interest Earnings	\$ -	\$ -	\$ -
Refunds & Reimbursements	-	-	-
Transfer In - L.O.S.T.	-	-	-
Total Revenues	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
<u>Expenditures</u>			
Airport Development	\$ -	\$ -	\$ -
Industrial Park Development	-	2,042.00 *	-
Civic Center Annex	-	-	-
Land Development	-	-	-
Bike Path Projects	-	-	-
Total Expenditures	<u>\$ -</u>	<u>\$ 2,042.00</u>	<u>\$ -</u>
Net Income (Loss)	\$ -	\$ (2,042.00)	\$ -
Fund Balance January 1	18,137.06	18,137.06	(48,621.94)
Prior Period Adjustment	-	-	-
Fund Balance August 31	<u><u>\$ 18,137.06</u></u>	<u><u>\$ 16,095.06</u></u>	<u><u>\$ (48,621.94)</u></u>

* Indicates Over Budget



WILLMAR
Finance

City of Willmar
W.R.A.C - 8
Balance Sheet as of August 31, 2012
(As of 09/04/2012)

Assets

Cash	\$ 5,683.88
Investments	239,203.27
Taxes Receivable	-
Accounts Receivable	-
Prepaid Expenses	-
Interest Receivable	-
Total Assets	\$ 244,887.15

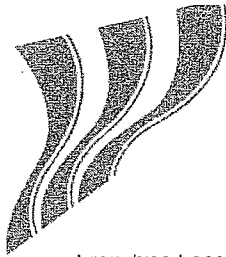
Liabilities

Accounts Payable	\$ -
Accrued Wages Payable	-
Due to S.A.B.F. 2011	-
Due to Capital Improvements Fund	-
Total Liabilities	-

Fund Balance

Restricted Fund Balance	1,777.69
Committed Fund Balance	39,701.00
Assigned Fund Balance	203,408.46
Total Fund Balance	244,887.15

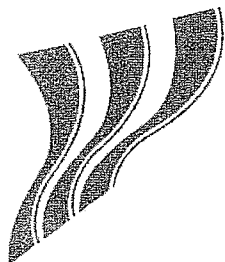
Total Liabilities & Fund Balance **\$ 244,887.15**



CITY OF WILLMAR
W.R.A.C. - 8
COMPARATIVE INCOME STATEMENT
For the Period Ending August 31, 2012
(As of 09-04-12)

	<u>Budget</u>	<u>2012 Actual</u>	<u>2011 Actual</u>
Franchise Fees	\$ 225,000.00	\$ 113,046.14	\$ 115,682.86
Interest Earnings	12,000.00	4,213.00	4,884.37
Sale of Materials	-	69.85 *	132.25 *
Market Value Increase	-	984.31 *	8,181.41 *
Refunds/Reimbursements	-	-	-
Telephone Reimbursement	-	15.80 *	15.64 *
Miscellaneous	-	-	-
Total Revenues	237,000.00	118,329.10	128,896.53
<u>Expenditures</u>			
Operating			
Full Time Salaries	76,968.00	44,220.03	46,481.40
Overtime Salaries	5,000.00	1,543.50	1,297.03
Temporary Salaries	5,700.00	7,384.00 *	6,742.00 *
Benefits and Taxes	44,315.00	28,163.67	30,421.46
Office Supplies/Copies	950.00	68.36	195.94
Small Tools	3,400.00	1,472.83	3,031.58
Postage	100.00	3.78	41.28
Mtce. of Equipment	200.00	1,061.70 *	314.70 *
Mtce. of Structures	400.00	844.20 *	318.46
Mtce. Of Other Improvements	-	-	-
Subsistence of Persons	80.00	-	-
Cleaning & Waste Removal	-	-	-
General Supplies	2,900.00	828.52	3,058.44 *
Telephone/Fax	1,200.00	806.56	1,305.34 *
Printing & Publishing	-	-	-
Utilities	4,200.00	3,712.25	3,496.46
Travel/Lodging/Dues	2,500.00	1,854.49	1,554.01
Mtce. of Equipment	1,400.00	795.00	591.79
Mtce. of Structures	500.00	528.14 *	353.75
Subsistence of Persons	-	-	-
Cleaning & Waste Removal	560.00	303.89	395.26
Other Services	75.00	-	240.00 *
Rents	800.00	480.00	-
Insurances & Bonds	300.00	300.06 *	217.00
Awards & Indemnities	-	-	40.00 *
Subscription/Membership	2,500.00	1,760.19	2,249.92
Licenses and Taxes	-	50.00 *	50.00 *
Professional Services	-	-	-
Advertising	1,000.00	365.56	270.75
Other Charges	-	-	-
Buildings & Equipment	-	-	-
Furniture & Equip	15,995.00	-	-
Transfer Out-Capital Improve	-	-	-
Transfer Out-General Fund	75,000.00	-	-
Refunds/Reimbursements	-	-	-
Market Value Adjustment	-	1,318.54 *	3,975.15 *
Total Expenditures	246,043.00	97,865.27	106,641.72
Net Income (Loss)	(9,043.00)	20,463.83	22,254.81
Fund Balance January 1	224,423.32	224,423.32	480,079.27
Prior Period Adjustment	-	-	-
Fund Balance August 31	\$ 215,380.32	\$ 244,887.15	\$ 502,334.08

* Indicates Over Budget



City of Willmar
CONVENTION & VISITORS BUREAU
Balance Sheet as of August 31, 2012
(As of 09/04/12)

Assets

Cash	\$ 13,260.27
Petty Cash	50.00
Investments	176,999.02
Taxes Receivable	-
Accounts Receivable	-
Prepaid Expenses	3,592.24
Interest Receivable	

Total Assets	\$ 193,901.53
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Liabilities

Accounts Payable	\$ -
Due to General Fund	-
Due to Capital Improvements	-

Total Liabilities	-
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Fund Balance

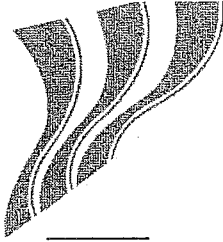
Restricted Fund Balance - CVB	13,319.41
Committed Fund Balance - CVB	31,193.62
Assigned Fund Balance - Petty Cash/CVB	50.00
Assigned Fund Balance - CVB	149,338.50

Total Fund Balance	193,901.53
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Total Liabilities & Fund Balance	\$ 193,901.53
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Willmar





City of Willmar
CONVENTION & VISITORS BUREAU
COMPARATIVE INCOME STATEMENT
 For the Period Ended August 31, 2012
 (As of 09/04/12)

	<u>Budget</u>	<u>2012 Actual</u>	<u>2011 Actual</u>
Lodging Receipts	\$ 140,000.00	\$ 92,171.42	\$ 91,493.28
State Tourism Grant	-	4,922.16 *	6,462.36 *
Kandiyohi County	15,000.00	-	-
Kandiyohi Co. Tourism Phone Reim	1,000.00	-	-
Kandiyohi Co. Tourism Partnerhip	34,000.00	34,000.00	34,000.00
Advertising Sales	4,000.00	2,653.50	-
Miscellaneous	-	605.00 *	233.95 *
Interest Earnings	6,000.00	2,204.53	2,322.79
Market Value Increase (Decr)	-	557.03 *	3,577.85 *
Refunds & Reimbursements	-	2,387.25 *	1,030.08 *
Total Revenues	200,000.00	139,500.89	139,120.31
<u>Expenditures</u>			
Operating			
Full Time Exec Director Salary	81,000.00	39,866.25	38,644.87
Temporary Employee Salaries	-	-	1,762.91 *
Benefits and Taxes	19,000.00	9,177.45	9,375.66
Office Supplies/Copies	2,900.00	1,099.65	1,463.93
Small Tools	-	751.59 *	483.18 *
Postage	1,100.00	721.12	111.90
Mtce. of Equipment	1,000.00	-	52.50
General Supplies	1,800.00	350.92	2,206.41
Telephone/Fax	3,900.00	2,430.08	2,015.48
Printing & Publishing	2,000.00	1,453.70	668.80
Travel/Lodging/Dues	4,700.00	2,631.20	3,212.12
Mtce. of Equipment	-	-	-
Other Services	-	611.72 *	111.61 *
Rents	8,000.00	4,386.27	4,386.27
Insurances & Bonds	350.00	355.00 *	330.00
Awards & Indemnities	200.00	256.50 *	456.50 *
Subscription/Membership	1,500.00	1,465.92 *	2,752.78 *
Professional Services	2,400.00	2,098.00	2,050.00
Advertising/Marketing	-	-	-
Other Charges			
Contingency Fund	5,300.00	4,105.07	12.50
City Transfer (5%)	7,000.00	-	-
Transfer Out Capital Improvement	-	-	-
Refunds and Reimbursements	-	39.32 *	410.00 *
Market Value Adjustment	-	569.31 *	2,127.62 *
Tourism Expenses	34,000.00	36,255.38 *	28,436.82
Ad Development & Revisions	250.00	-	-
Conference & Convention	21,000.00	12,752.04	14,546.11
Group Tour Promotions	2,000.00	1,972.00	3,972.46 *
Leisure Travel	21,000.00	23,724.68 *	8,152.22
Fall/Winter Promotions	6,000.00	824.82	1,222.32
Spring/Summer Promotions	-	-	-
Special Projects	7,000.00	2,500.00	2,750.00
Strategic Marketing	6,000.00	3,123.52	5,326.15
Total Expenditures	239,400.00	153,521.51	137,041.12
Net Income (Loss)	(39,400.00)	(14,020.62)	2,079.19
Fund Balance January 1	207,922.15	207,922.15	211,651.32
Prior Period Adjustment	-	-	-
Fund Balance August 31	\$ 168,522.15	\$ 193,901.53	\$ 213,730.51

* Indicates Over Budget

Rice Memorial Hospital

Financial Statements

July 31, 2012

Executive Summary

July was a down month in terms of financial performance compared to budget and in terms of actual performance, however considering the lower volumes it could have been worse. Rice generated a loss of \$52,000 from operations compared to budgeted operating income of \$127,000. Volumes and revenues were down with expenses also lower. Entity performance was mixed as only the Care Center was profitable. However, the Balance Sheet improved slightly in July as net assets increased. The overall net income was \$110,000 due to positive non-operating activity.

July 31, 2012 Balance Sheet:

The July balance sheet showed an increase in net assets of \$1.3 million; a \$200,000 increase from last month. Total Assets have decreased \$1.1 million while total liabilities have decreased \$2.4 million. The Total Asset decrease was due to an increase in current assets of \$1.6 million; a decrease in assets whose use is limited of \$473,000; a decrease in net property, plant, and equipment of \$1.0 million; and a decrease in other assets of \$1.2 million. The increase in current assets was due to increases in Cash and offset by decreases in Bond Reserves and Prepaid Expenses. Although Receivables have increased during the year; improvements have been made in the revenue cycle process as evidenced with Days Outstanding decreasing from 60 last month to 56 this month. Assets whose use is limited decreased due to the refunding of the 2002 Bond Issue which resulted in decreased investments in the reserve funds but offset some by an increase in the Rice Trust Endowment. Net Property, Plant, and Equipment decreased due to depreciation expense greater than capital expenditures. Other Assets have decreased due to decreases in unrestricted or general investments and Deferred Debt Acquisition costs and offset by an increase in the investment in Willmar Medical Services. Cash & General Investments have increased \$720,000 since December 31, 2011 with Days of Cash increasing to 116 days.

July 2012 Results:

The overall net operating loss was \$52,000 compared to budgeted operating income of \$127,000 and compared to last year's operating income of \$399,000. Patient revenues were \$1.4 million (8.1%) less than budget for the month and 7.0% less than the prior year. Hospital revenues were less than budget with inpatient revenues 18.0% less than budget and outpatient revenues 5.6% less than budget. Inpatient revenues were driven by the lower census and lower than anticipated ancillary services revenue. Outpatient revenue variances were the result of decreased revenues in Surgery, the Emergency Room, and Radiation Oncology. Revenues at the Care Center were up by 32.0% due to increased therapy services provided to the residents. Home Medical revenues were 7.3% less than budget due to lower sales and rentals.

Consolidated deductions from revenue were \$1.2 million (14.0%) less than budget and when netted against total patient revenues yielded a negative net patient revenue variance

of \$199,000 (2.3%). The Hospital reimbursement ratio for the month was 50.67% compared to the budget of 47.19%; a positive variance of \$496,000.

Other operating revenues were \$201,000 (13.2%) lower than budget due to lower than projected Willmar Medical Services (WMS) performance. WMS activity at Rice was less than budget by \$120,000 (6.7%) due to decreased Radiation Therapy revenues. Total operating revenues were \$8.2 million or \$279,000 (3.3%) less than budget and \$316,000 (3.7%) less than last year.

Net Expenses were \$8.2 million which was \$100,000 (1.2%) less than budget. Expenses were mixed for the month with Salaries \$200,000 (5.2%) less than budget due to decreased activity in some areas and vacancies which was offset by Contract Labor which was \$124,000 greater than budget. Contract Labor variances were due to contracted Emergency Room physicians, which should decrease later in the year with the recent successful recruitment efforts and contracted therapy at the Hospital and Care Center. Benefits were \$263,000 (22.5%) less than budget due to lower than anticipated health insurance costs for the month. Supplies were \$32,000 (3.2%) less than budget due lower activity in Surgery and Lab but offset by increases in Maintenance. Drugs were \$130,000 (26.7%) greater than budget due Medical Oncology activity. Purchased Services were \$48,000 (8.5%) greater due to higher costs in Administration, Surgery, Sleep, and Information Services but offset by lower than anticipated Hospice costs. Repairs were \$71,000 (23.7%) lower due to numerous positive variances in departments. Utilities were \$12,000 (7.6%) less than budget while Insurance was \$13,000 (23.7%) greater than budget due to workers compensation renewals. Patient Related Travel was \$4,000 (11.2%) less than budget while Education, Travel, and Dues were \$3,900 (5.1%) less than budget. Other was \$25,000 (56.8%) greater than budget due to Outreach expenses and Home Medical costs; Depreciation was \$54,000 (9.1%) greater than budget due to a budget miscalculation while Interest was \$56,000 (27.8%) less than budget due to the refunding of the 2002 bonds. Bad Debts were \$62,000 (43.2%) greater than budget while Taxes and Surcharge were \$9,400 (5.0%) greater than budget.

Non-operating income was \$78,000 greater than budget due to unrealized gains. Rice will continue to analyze its investments to determine if any additional securities should be sold to capture realized gains.

The Hospital generated an operating loss of \$83,000 compared to budgeted operating income of \$61,000 and last year's operating income of \$440,000. Care Center activity generated operating income of \$56,000 compared to expected operating income of \$30,000 and last year's operating loss of \$73,000. Increased therapy services contributed to the positive income variance. Home Medical activity generated an operating loss of \$25,000 compared to budgeted operating income of \$34,000 and last year's operating income of \$32,000.

July YTD 2012 Results:

The consolidated net operating income was \$242,000 compared to budgeted operating income of \$1.1 million and last year's operating income of \$2.8 million. Patient revenues were \$6.2 million (5.1%) less than budget and 2.3% less than the prior year. Hospital revenues were less than budget with inpatient revenues 12.2% less than budget and outpatient revenues 1.5% less than budget. Inpatient revenues were driven by the decreased census and lower surgical volumes while Outpatient revenues were the result of flat volumes in many departments and lower radiation therapy revenue. Care Center

revenues were \$493,000 (11.0%) greater than budget while Home Medical revenues were \$859,000 (12.5%) less than budget due to lower sales and rental activity.

Consolidated deductions from revenue were \$5.7 million (9.4%) less than budget and when netted against total patient revenues yielded a negative net patient revenue variance of \$498,000 (0.8%). The Hospital's reimbursement rate was 49.77% compared to a budget of 47.46%; a positive variance of \$2.4 million, which includes the \$500,000 CMS settlement.

Other operating revenues were \$864,000 (8.1%) less than budget due to lower activity and profits at Willmar Medical Services. Willmar Medical Services activity at Rice was less than budget by \$537,000 (4.2%) due to lower Oncology activity. Total operating revenues were \$59.0 million or \$825,000 (1.4%) less than budget and \$232,000 (0.4%) greater than last year.

Net Expenses were \$58.7 million which was \$96,000 (0.2%) greater than budget. Expenses were mixed with Salaries \$489,000 (1.8%) less than budget due lower activity but offset by the Epic conversion costs which were greater than anticipated. Contract Labor was \$970,000 greater than budget due to Emergency Room Physicians, Pharmacy, and contracted therapy costs. As the Care Center has outsourced its therapy services, this variance will continue for the remainder of the year. Benefits were \$417,000 (5.1%) less than budget due to lower than anticipated health insurance costs. Supplies were \$447,000 (6.1%) less than budget due lower activity in numerous departments including Surgery and Home Medical while Drugs were \$1.5 million (41.9%) greater due to Medical Oncology purchases. Purchased Services were \$106,000 (2.6%) greater due to consulting and legal costs and reference lab costs. Repairs were \$330,000 (15.6%) less due to lower activity in numerous departments while Utilities were \$86,000 (8.3%) less than budget due to mild weather. Insurance was \$5,100 (1.3%) greater than budget; Patient Related Travel was \$15,000 (6.1%) less than budget; Education, Travel, and Dues were \$57,000 (10.6%) greater than budget due to SWEPT costs; and Other was \$14,000 (4.8%) greater than budget. Depreciation was \$449,000 (10.7%) greater than budget due to the budget miscalculation while Interest was \$283,000 (19.8%) less than budget due to the bond refunding. Bad Debts were \$9,900 (1.0%) less than budget due to improved quality and lower activity with Taxes \$107,000 (8.1%) less than budget due to reconciliations with amounts paid to the City and the successful MN Care Tax and MA Surcharge appeal.

Non-operating income was \$133,000 greater than budget due to realized and unrealized investment gains. Investment income should be lower than budget for a few months due to investment redemptions and sales but offset somewhat by the increased level of investments as positive cash flows have resumed.

The Hospital generated operating income of \$59,000 compared to budgeted operating income of \$906,000 and last year's operating income of \$2.7 million. Care Center activity generated operating income of \$284,000 compared to expected operating income of \$197,000 and last year's operating income of \$5,800. Home Medical activity generated an operating loss of \$101,000 compared to budgeted operating income of \$61,000 and last year's operating income of \$3,200.

Statistical and Volume Summary

Statistics and volumes were mostly down for the month. Patient days were 14.5% less than budget while admissions were 11.0% less than budget yielding an increase in length

of stay from a budget of 3.50 to 3.64. Compared to the prior year, patient days were 157 less for the month with admissions 28 less than last year. The average daily census for the month was 28.6 compared to a budget of 33.5 and last year's 33.7. Observation patients were 29.8% less than budget and 26.4% less than last year. Total Case Mix Index was 1.7% greater than budget and 7.7% higher than last year. Medicare Case Mix is still unavailable. Overall activity as measured in terms of adjusted admissions was 2.1% less than budget and 1.4% less than last year while adjusted patient days were 5.9% less than budget and 7.3% less than last year. Care Center resident days were 0.9% less than budget with an average daily census of 74.4 compared to the budget of 75.

On a YTD basis, patient days were 4.4% less than budget and 10.8% less than last year with admissions 4.8% less than budget and 10.5% less than last year. This equated to an average length of stay of 3.52 compared to the budget of 3.50 and 3.53 last year. Observation patients were down by 11.9% to budget and 4.1% less than last year. Total Case Mix was 0.1% higher than budget and 1.5% higher than last year. Adjusted admissions were 2.8% greater than budget but 3.3% less than last year while adjusted patient days were 3.1% greater than budget but 3.7% less than last year. Deliveries were 9.2% less than budget and 9.4% less than last year. Care Center resident days were 3.9% less than budget with a census of 72.1 compared to the budget of 75.0 and last year's census of 62.7.

Surgeries were 18.6% less than budget and 19.8% less than last year. Emergency Room visits were 13.8% less than budget and 13.6% less than last year. Lab tests were 11.9% less than budget while Medical Imaging procedures were 0.1% less than budget. Radiation Oncology treatments were 28.7% less than budget and 22.4% less than last year. Medical Oncology visits were 29.6% greater than budget and 26.3% greater than last year. GI procedures were 7.4% less than budget while Dialysis treatments were 17.4% greater than budget. Rehab visits were 2.3% greater than budget while Hospice visits were 11.1% greater than budget and Ambulance runs 7.1% greater than budget.

YTD ancillary activity was mixed. Surgeries were 9.3% less than budget and 11.0% less than last year with inpatient procedures 16.1% less than budget and 18.1% less than last year. Emergency Room visits were 2.2% less than budget and 1.9% less than last year. Laboratory tests were 4.7% less than budget and 5.6% less than last year. Medical Imaging procedures were 4.6% greater than budget and 0.5% less than last year. Radiation Oncology treatments were 5.2% greater than budget and 5.8% greater than last year while Medical Oncology visits were 23.9% greater than budget and 20.8% greater than last year. GI procedures were 1.5% greater than budget but 14.6% less than last year while Dialysis treatments were 6.2% greater than budget and 5.9% greater than last year. Rehab visits were greater than budget by 3.2% and 3.3% greater than last year; Hospice visits were 3.5% less than budget and 5.9% less than last year; and Ambulance runs were 1.9% greater than budget and 2.0% greater than last year.

Full Time Equivalents (FTE's) for the month were 797 compared to a budget of 773 and compared to last year's total of 776. YTD FTE's were 802 compared to the budget of 786 and last year's 763.

Key Indicators

The key Operational indicators were negative for the month compared to budget and last year. Consolidated Operating Margin was a negative 0.6% compared to the budget of 1.5% and last year's 4.7%. Excess Margin was 1.3% compared to the budget of 2.5%

and last year's 6.9%. The EBIDA margin was 10.9% compared to a budget of 11.8% and last year's 15.4%.

The YTD Consolidated Operating Margin was 0.4% compared to the budget of 1.9% and last year's 4.8%. Excess Margin was 1.6% compared to the budget of 2.9% and last year's 5.9%. The EBIDA margin was 11.3% compared to the budget of 12.3% and last year's 15.4%.

The Financial ratios indicate that the Debt/Capitalization ratio of 44% was less than the year-end target of 45%. Debt service coverage was 2.9 compared to the budget of 2.9 and compared to the debt covenant of 1.25. Days in accounts receivable were 56 compared to a target of 50 and last year's 59. Days of Cash were 116 compared to the year-end target of 126 and compared to 111 from the prior year. The Cash/Debt ratio was 64% compared to the budget of 71% and last year's ratio of 53%. The Financial Strength Index was 0.60 compared to the budget of 1.10 and last year's 1.65.

YTD Hospital productivity ratios in terms of staffing was slightly higher than the budget with FTE's per adjusted admit at 14.4 compared to a budget of 14.3; last year's ratio of 13.4; and the benchmark of 14.9. FTE's per adjusted patient day were 4.1 compared to the budget of 4.1; last year's ratio of 3.8; and the benchmark of 4.4. Care Center Hours per Resident Day were 6.2 compared to the budget of 5.5 and the benchmark of 5.8. The increase relates to the contracted therapy service which has been much greater than anticipated. Sales per FTE at Home Medical were \$146,000 which was 11.4% less than target and 3.3% less than last year.

**RICE MEMORIAL HOSPITAL
CONSOLIDATED
BALANCE SHEET**
For the Seven Months Ending July 31, 2012

	CURRENT YEAR	PRIOR YEAR END	CHANGE
1 ASSETS			
2 CURRENT ASSETS			
3 CASH AND CASH EQUIVALENTS	\$6,195,503	\$3,728,757	\$2,466,747
4 TRUSTEE BOND AGREEMENTS - CURRENT	1,775,701	2,130,440	(354,740)
5 ACCOUNTS RECEIVABLE NET	16,304,951	16,143,018	161,933
6 OTHER RECEIVABLES	527,254	521,975	5,279
7 INVENTORY	1,842,307	1,858,419	(16,112)
8 PREPAID EXPENSES	946,692	1,517,862	(571,169)
10 TOTAL CURRENT ASSETS	27,592,408	25,900,470	1,691,938
12 ASSETS LIMITED AS TO USE			
13 HELD BY TRUSTEES - BOND AGREEMENTS	3,181,089	3,731,642	(550,552)
15 REMAINDER UNITRUST - RECEIVABLE	28,765	47,976	(19,211)
16 ENDOWMENT FUND - INVESTMENTS	2,562,130	2,466,271	95,859
18 TOTAL ASSETS - USE IS LIMITED	5,771,985	6,245,889	(473,904)
20 PROPERTY PLANT & EQUIPMENT			
21 PROPERTY PLANT & EQUIPMENT	131,391,443	129,292,102	2,099,341
22 LESS: ACCUMULATED DEPRECIATION	(70,718,553)	(67,522,491)	(3,196,062)
24 NET PROPERTY, PLANT & EQUIPMENT	60,672,890	61,769,611	(1,096,720)
26 OTHER ASSETS			
27 INVESTMENTS	23,379,256	25,125,564	(1,746,308)
28 INVESTMENTS - SHARED HEALTH RESOURCES	417,225	411,413	5,812
29 INVESTMENTS - WILLMAR MEDICAL SERVICES	4,146,944	3,335,316	811,628
30 OTHER INVESTMENTS	79,963	79,136	827
32 DEFERRED DEBT ACQUISITION COSTS	206,643	518,347	(311,704)
35 TOTAL OTHER ASSETS	28,230,031	29,469,777	(1,239,746)
37 TOTAL ASSETS	\$122,267,314	\$123,385,747	(\$1,118,433)
40 LIABILITIES AND NET ASSETS			
41 CURRENT LIABILITIES			
42 CURRENT MATURITIES OF LONG TERM DEBT	\$2,253,149	\$1,981,181	\$271,967
43 ACCOUNTS PAYABLE - TRADE	1,556,815	1,563,350	(6,535)
44 ESTIMATED THIRD PARTY PAYOR SETTLEMENTS	(74,396)	217,700	(292,096)
45 ACCRUED SALARIES, WAGES AND BENEFITS	11,347,280	10,751,022	596,258
46 ACCRUED INTEREST AND DUE TO WMS	2,310,716	2,449,639	(138,923)
48 TOTAL CURRENT LIABILITIES	17,393,563	16,962,892	430,671
50 LONG TERM DEBT (LESS CURRENT PORTION)	46,392,307	49,270,010	(2,877,703)
52 TOTAL LIABILITIES	63,785,870	66,232,902	(2,447,032)
54 COMMITMENTS AND CONTINGENCIES			
56 NET ASSETS			
57 RESTRICTED FUNDS			
58 DEBT SERVICE AND RESERVE	3,181,089	3,731,642	(550,552)
59 SPECIFIC PURPOSE FUND	(23,194)	74,593	(97,787)
60 PERMANENT ENDOWMENT	2,562,130	2,466,271	95,859
61 CURRENT YEAR INCOME	971,439	6,006,621	(5,035,182)
62 UNRESTRICTED	51,789,979	44,873,718	6,916,261
64 TOTAL NET ASSETS	58,481,444	57,152,845	1,328,599
66 TOTAL LIABILITIES AND NET ASSETS	\$122,267,314	\$123,385,747	(\$1,118,433)

RICE MEMORIAL HOSPITAL CONSOLIDATED
For the Seven Months Ending July 31, 2012

	CURRENT MONTH			YEAR TO DATE		
	ACTUAL	BUDGET	VAR %	VAR	VAR %	PRIOR YR
3,637,558	3,837,669	(200,111)	(5.2%)	(200,111)	(5.2%)	3,637,558
291,854	1,677,886	1,386,032	73.9%	1,386,032	73.9%	291,854
905,808	1,169,322	(263,514)	(22.5%)	(263,514)	(22.5%)	905,808
1,000,387	1,032,994	(32,607)	(3.2%)	(32,607)	(3.2%)	1,000,387
620,460	489,547	130,913	26.7%	130,913	26.7%	620,460
621,498	572,943	48,555	8.5%	48,555	8.5%	621,498
231,244	303,134	(71,890)	(23.7%)	(71,890)	(23.7%)	231,244
156,904	169,826	(12,922)	(7.6%)	(12,922)	(7.6%)	156,904
68,936	55,706	13,230	23.7%	13,230	23.7%	68,936
32,375	36,441	(4,066)	(11.2%)	(4,066)	(11.2%)	32,375
74,251	78,206	(3,955)	(5.1%)	(3,955)	(5.1%)	74,251
69,616	44,400	25,216	56.8%	25,216	56.8%	69,616
653,029	598,394	54,635	9.1%	54,635	9.1%	653,029
146,999	203,645	(56,646)	(27.8%)	(56,646)	(27.8%)	146,999
205,849	143,784	62,065	43.2%	62,065	43.2%	205,849
198,469	189,001	9,468	5.0%	9,468	5.0%	198,469
8,915,237	9,092,798	(177,561)	(2.0%)	(177,561)	(2.0%)	8,915,237
633,685	711,138	(77,453)	(10.9%)	(77,453)	(10.9%)	633,685
8,281,552	8,381,660	(100,108)	(1.2%)	(100,108)	(1.2%)	8,281,552
(52,806)	127,065	(179,871)	(141.6%)	(179,871)	(141.6%)	(52,806)
163,586	84,976	78,610	92.5%	78,610	92.5%	163,586
\$1,070,780	\$2,120,041	\$(1,049,261)	(47.8%)	\$(1,049,261)	(47.8%)	\$1,070,780
OPERATING REVENUE	\$34,451,458	\$39,223,193	(\$4,771,735)	(12.2%)	(12.2%)	\$39,013,437
INPATIENT REVENUE	71,378,696	72,487,638	(1,108,942)	(1.5%)	(1.5%)	71,772,958
RICE CARE CENTER REVENUE	4,993,817	4,500,195	493,622	11.0%	11.0%	2,983,622
RICE HOME MEDICAL REVENUE	5,988,579	6,847,996	(859,417)	(12.5%)	(12.5%)	5,734,086
TOTAL PATIENT REVENUE	116,812,550	123,059,022	(6,246,472)	(5.1%)	(5.1%)	119,504,261
LESS DISCOUNTS & CONTRACTUALS	54,679,778	60,103,209	(5,423,431)	(9.0%)	(9.0%)	57,879,514
LESS UNCOMPENSATED CARE	782,975	1,106,270	(324,195)	(29.3%)	(29.3%)	1,146,106
TOTAL DEDUCTIONS FROM REVENUE	55,462,753	61,209,479	(5,746,726)	(9.4%)	(9.4%)	59,025,620
NET REVENUE FROM PATIENTS	61,350,697	61,849,543	(498,846)	(0.8%)	(0.8%)	60,478,641
OTHER OPERATING REVENUE	9,834,758	10,698,819	(864,061)	(8.1%)	(8.1%)	10,758,098
TOTAL OPERATING REVENUE	71,185,455	72,548,362	(1,362,907)	(1.9%)	(1.9%)	71,236,739
LESS: WILLMAR MEDICAL SERVICES						
OPERATING REVENUE	12,152,220	12,690,085	(537,865)	(4.2%)	(4.2%)	12,435,660
TOTAL OPERATING REVENUE	59,033,235	59,858,277	(825,042)	(1.4%)	(1.4%)	58,801,079
OPERATING EXPENSES	26,282,789	26,772,452	(489,663)	(1.8%)	(1.8%)	25,339,611
SALARIES AND WAGES	2,161,392	1,191,331	970,061	81.4%	81.4%	983,780
CONTRACT LABOR	7,773,235	8,191,166	(417,931)	(5.1%)	(5.1%)	7,914,143
SUPPLEMENTAL BENEFITS	6,835,068	7,282,089	(447,021)	(6.1%)	(6.1%)	6,930,822
SUPPLIES	5,247,796	3,698,744	1,549,052	41.9%	41.9%	3,693,104
DRUGS	4,220,374	4,113,500	106,874	2.6%	2.6%	3,974,055
PURCHASED SERVICES	1,791,699	2,121,936	(330,237)	(15.6%)	(15.6%)	1,794,850
REPAIRS, SERVICE & RENTALS	955,308	1,041,801	(86,493)	(8.3%)	(8.3%)	934,393
UTILITIES	395,124	389,940	5,184	1.3%	1.3%	349,767
INSURANCE	236,610	251,888	(15,278)	(6.1%)	(6.1%)	247,423
PATIENT RELATED TRAVEL	602,344	544,836	57,508	10.6%	10.6%	554,157
EDUCATION, TRAVEL, & DUES	325,686	310,803	14,883	4.8%	4.8%	278,601
OTHER	4,638,591	4,188,754	449,837	10.7%	10.7%	4,192,851
DEPRECIATION AND AMORT	1,152,062	1,433,992	(283,930)	(19.8%)	(19.8%)	1,433,102
INTEREST	1,015,981	1,025,928	(9,947)	(1.0%)	(1.0%)	1,076,538
BAD DEBTS	1,215,254	1,323,010	(107,756)	(8.1%)	(8.1%)	1,289,269
TAXES & SURCHARGE	64,849,313	63,884,170	965,143	1.5%	1.5%	60,986,466
TOTAL OPERATING EXPENSES	6,058,996	5,190,684	868,312	16.7%	16.7%	4,990,453
LESS: WILLMAR MEDICAL SERVICES						
OPERATING EXPENSES	58,790,317	58,693,486	96,831	0.2%	0.2%	55,996,013
NET OPERATING EXPENSES	242,918	1,164,791	(921,873)	(79.1%)	(79.1%)	2,805,066
OPERATING INCOME (LOSS)	728,522	594,834	133,688	22.5%	22.5%	727,319
NON OPERATING INCOME						
NET INCOME (LOSS)	897,140	594,834	302,306	44.8%	44.8%	854,638

RICE HOSPITAL
For the Seven Months Ending July 31, 2012

	CURRENT MONTH			YEAR TO DATE		
	ACTUAL	BUDGET	VAR %	VAR	PRIOR YR	VAR %
OPERATING REVENUE	\$4,397,020	\$5,363,608	(18.0%)	\$5,387,479	(18.4%)	\$39,013,437
INPATIENT REVENUE	9,857,329	10,442,515	(5.6%)	10,626,468	(7.2%)	71,772,958
OUTPATIENT REVENUE	14,254,349	15,806,123	(9.8%)	16,013,947	(11.0%)	110,786,395
TOTAL PATIENT REVENUE	6,933,470	8,184,271	(15.3%)	8,119,928	(14.6%)	56,290,382
LESS DISCOUNTS & CONTRACTUALS	97,598	162,687	(40.0%)	152,815	(36.1%)	1,145,006
LESS UNCOMPENSATED CARE	7,031,068	8,346,958	(15.8%)	8,272,743	(15.0%)	57,435,388
TOTAL DEDUCTIONS FROM REVENUE	7,223,281	7,459,165	(3.2%)	7,741,204	(6.7%)	53,351,007
NET REVENUE FROM PATIENTS	1,325,207	1,528,138	(13.3%)	1,468,615	(9.8%)	10,729,020
OTHER OPERATING REVENUE	8,548,488	8,987,303	(4.9%)	9,209,819	(7.2%)	64,080,027
TOTAL OPERATING REVENUE	1,675,762	1,796,331	(6.7%)	1,771,849	(5.4%)	12,435,660
LESS: WILLMAR MEDICAL SERVICES						
OPERATING REVENUE						
TOTAL OPERATING REVENUE	1,675,762	1,796,331	(6.7%)	1,771,849	(5.4%)	12,435,660
OPERATING EXPENSES	3,191,334	3,371,367	(5.3%)	3,253,145	(1.9%)	22,733,547
SALARIES AND WAGES	208,653	167,684	24.6%	87,787	51.1%	930,714
CONTRACT LABOR	752,669	1,006,277	(25.2%)	997,244	(24.5%)	6,955,974
SUPPLEMENTAL BENEFITS	625,471	661,634	(5.5%)	624,472	(3.3%)	4,794,436
SUPPLIES	604,196	477,696	26.5%	620,654	(2.7%)	3,627,293
DRUGS	588,100	538,733	9.2%	582,713	1.4%	3,716,621
PURCHASED SERVICES	215,853	280,691	(23.1%)	224,355	(4.5%)	1,668,910
REPAIRS, SERVICE & RENTALS	138,843	148,335	(6.4%)	145,334	(5.0%)	818,256
UTILITIES	60,613	47,430	27.8%	42,408	42.9%	292,516
INSURANCE	21,395	23,356	(8.4%)	20,449	5.0%	161,124
PATIENT RELATED TRAVEL	68,540	70,366	(2.6%)	63,563	7.8%	502,972
EDUCATION, TRAVEL, & DUES	44,944	37,196	20.8%	29,294	53.4%	227,982
OTHER	583,257	533,550	9.3%	554,863	5.1%	3,894,615
DEPRECIATION AND AMORT	131,983	188,054	(29.8%)	194,326	(32.1%)	1,368,025
INTEREST	195,098	138,277	41.1%	181,528	7.5%	1,013,192
BAD DEBTS	159,114	149,608	6.4%	143,026	11.2%	1,132,607
TAXES & SURCHARGE	7,590,263	7,840,254	(3.2%)	7,765,161	(2.3%)	53,838,784
TOTAL OPERATING EXPENSES	635,685	711,138	(10.9%)	768,092	(17.5%)	4,990,453
LESS: WILLMAR MEDICAL SERVICES						
OPERATING EXPENSES	6,956,578	7,129,116	(2.4%)	6,997,069	(0.6%)	48,848,331
NET OPERATING EXPENSES	\$ (83,852)	\$ 61,856	(145.708)	\$ 440,901		\$ 2,796,036
OPERATING INCOME (LOSS)						

CURRENT MONTH				YEAR TO DATE			
ACTUAL	BUDGET	VAR	VAR %	PRIOR YR	VAR	VAR %	VAR %
OPERATING REVENUE							
\$864,820	\$654,998	\$209,822	32.0%	\$367,749	\$493,622	11.0%	\$2,983,780
\$864,820	654,998	209,822	32.0%	367,749	493,622	11.0%	2,983,780
246,122	141,238	104,884	74.3%	35,244	49,533	5.1%	334,749
246,122	141,238	104,884	74.3%	35,244	49,533	5.1%	334,749
618,698	513,760	104,938	20.4%	332,505	444,089	12.6%	2,649,031
664	593	71	12.0%	540	2,467	60.6%	5,622
619,362	514,353	105,009	20.4%	333,045	446,556	12.6%	2,654,653
LESS: WILLMAR MEDICAL SERVICES							
619,362	514,353	105,009	20.4%	333,045	446,556	12.6%	2,654,653
TOTAL OPERATING REVENUE							
220,387	223,649	(3,262)	(1.5%)	206,396	1,536,792	0.6%	1,347,699
83,001	102	82,899	81,273.5%	3,353	361,942	51,854.2%	14,957
89,215	94,203	(4,988)	(5.3%)	72,303	649,072	0.8%	541,964
37,403	39,325	(1,922)	(4.9%)	37,286	270,579	(8.2%)	219,996
16,264	11,851	4,413	37.2%	9,657	81,430	40.0%	65,811
18,446	10,159	8,287	81.6%	12,241	70,647	59.8%	66,858
2,031	4,354	(2,323)	(53.4%)	11,146	30,477	(9.860)	26,858
10,198	12,984	(2,786)	(21.5%)	7,523	86,364	(25.125)	50,384
2,869	2,954	(85)	(2.9%)	2,511	20,678	(2.9%)	17,574
219	122	97	79.5%	290	852	1,761	206.7%
3,583	3,809	(226)	(5.9%)	2,455	26,662	14.7%	26,091
977	320	657	205.3%	5,661	2240	(757)	8,057
30,794	30,794	0	0.0%	13,325	216,680	0	90,930
10,900	11,337	(437)	(3.9%)	3,687	79,361	(2,680)	27,906
1,345	2,033	(688)	(33.8%)	847	13,967	(13,231)	13,052
34,968	35,675	(707)	(2.0%)	18,298	249,725	(22,450)	129,533
562,600	483,671	78,929	16.3%	406,979	3,336,224	360,075	2,648,851
TOTAL OPERATING EXPENSES							
562,600	483,671	78,929	16.3%	406,979	3,336,224	360,075	2,648,851
LESS: WILLMAR MEDICAL SERVICES							
562,600	483,671	78,929	16.3%	406,979	3,336,224	360,075	2,648,851
NET OPERATING EXPENSES							
562,600	483,671	78,929	16.3%	406,979	3,336,224	360,075	2,648,851
OPERATING INCOME (LOSS)							
\$ 56,762	\$ 30,682	\$ 26,080	\$ (73,934)	\$ 284,146	\$ 197,665	\$ 86,481	\$ 5,802

RICE HOME MEDICAL
For the Seven Months Ending July 31, 2012

	ACTUAL	BUDGET	CURRENT MONTH		PRIOR YR	VAR %
			VAR	VAR %		
	958,361	1,034,064	(75,703)	(7.3%)	910,696	5.2%
	958,361	1,034,064	(75,703)	(7.3%)	910,696	5.2%
	224,915	232,664	(7,749)	(3.3%)	139,030	61.8%
	291		291	#DIV/0!		#DIV/0!
	225,206	232,664	(7,458)	(3.2%)	139,030	62.0%
	733,155	801,400	(68,245)	(8.5%)	771,666	(5.0%)
	3,504	2,000	1,504	75.2%	2,234	56.8%

OPERATING REVENUE

PRICE HOME MEDICAL REVENUE

TOTAL PATIENT REVENUE

LESS DISCOUNTS & CONTRACTUALS LESS UNCOMPENSATED CARE

TOTAL DEDUCTIONS FROM REVENUE

NET REVENUE FROM PATIENTS

OTHER OPERATING REVENUE

TOTAL OPERATING REVENUE

LESS: WILLMAR MEDICAL SERVICES

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SALARIES AND WAGES

SUPPLEMENTAL BENEFIT

DOUGLAS

REPAIRS, SERVICE & RENTALS

INSURANCE

EDUCATION, TRAVEL

DEPRECIATION AND AMOR

BAD DERTS

TAXES & SURCHARGE

TOTAL OPERATING EXPENSES

LESS; WILLMAR MEDICAL SERVICES

NET OPERATING EXPENSES

OPERATING INCOME (LOSS)

	ACTUAL	BUDGET	YEAR TO DATE		
			VAR	VAR %	PRIOR YR
					VAR %
	5,988,579	6,847,996	(859,417)	(12.5%)	5,734,086
					4.4%
	5,988,579	6,847,996	(859,417)	(12.5%)	5,734,086
					4.4%
	1,274,344	1,540,800	(266,456)	(17.3%)	1,254,383
	9,257		9,257	#DIV/0!	1,100
					741.5%
	1,283,601	1,540,800	(257,199)	(16.7%)	1,255,483
					2.2%
	4,704,978	5,307,196	(602,218)	(11.3%)	4,478,603
					5.1%
	46,614	12,024	34,590	287.7%	23,456
					98.7%
	4,751,592	5,319,220	(567,628)	(10.7%)	4,502,059
					5.5%

LESS: WILLMAR MEDICAL SERVICES

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SALARIES AND WAGES

SUPPLEMENTAL BENEFIT

DOUGLAS

REPAIRS, SERVICE & RENTALS

INSURANCE

EDUCATION, TRAVEL

DEPRECIATION AND AMOR

BAD DERTS

TAXES & SURCHARGE

TOTAL OPERATING EXPENSES

LESS; WILLMAR MEDICAL SERVICES

NET OPERATING EXPENSES

OPERATING INCOME (LOSS)

36,859	803,400	(66,741)	(3.3%)	773,900	(4.8%)	TOTAL OPERATING REVENUE	4,751,492	(5,110,220)	(57,628)	(10.7%)	4,502,059	55.3%
OPERATING EXPENSES												
225,837	242,653	(16,816)	(6.9%)	154,864	45.8%	SALARIES AND WAGES	1,521,430	1,667,270	(145,840)	(8.7%)	1,258,365	20.9%
		0			(100.0%)	CONTRACT LABOR	435,876	477,660	(41,784)	(8.7%)	38,109	(100.0%)
63,924	68,841	(4,917)	(7.1%)	72,716	(12.1%)	SUPPLEMENTAL BENEFITS	1,964,472	2,230,915	(266,443)	(11.9%)	416,205	4.7%
337,513	332,036	5,477	1.6%	397,905	(15.2%)	SUPPLIES	177,061	168,364	8,697	5.2%	1,916,389	2.5%
14,952	24,052	(9,100)	(37.8%)	44,648	(66.5%)	PURCHASED SERVICES	99,373	126,623	(27,250)	(21.5%)	190,577	(7.1%)
13,360	18,089	(4,729)	(26.1%)	(3,043)	(539.0%)	REPAIRS, SERVICE & RENTALS	52,404	69,641	(17,237)	(24.8%)	99,082	(7.1%)
7,862	8,507	(645)	(7.6%)	8,467	(7.1%)	UTILITIES	38,204	37,254	950	2.6%	65,753	(20.3%)
5,454	5,322	132	2.5%	5,731	(4.8%)	INSURANCE	88,196	88,196		1.7%	39,677	(3.7%)
10,760	12,963	(2,203)	(17.0%)	17,729	(39.3%)	PATIENT RELATED TRAVEL	40,090	25,613	14,477	56.5%	25,094	59.8%
2,129	4,031	(1,902)	(47.2%)	6,089	(65.0%)	EDUCATION, TRAVEL, & DUES	58,133	48,188	9,945	20.6%	42,563	36.6%
23,696	6,884	16,812	244.2%	283	8,273.1%	OTHER	284,260	238,353	45,907	19.3%	207,306	37.1%
38,978	34,051	4,927	14.5%	(28,187)	(238.3%)	DEPRECIATION AND AMORT	28,612	29,778	(1,166)	(3.9%)	37,170	(23.0%)
4,115	4,254	(139)	(3.3%)	4,261	(3.4%)	INTEREST	32,343	24,318	8,025	33.0%	50,294	(35.7%)
9,406	3,474	5,932	170.8%	44,854	(79.0%)	BAD DEBTS	30,806	26,032	4,774	18.3%	27,129	13.6%
4,387	3,718	669	18.0%	3,575	22.7%	TAXES & SURCHARGE						
762,373	768,875	(6,502)	(0.8%)	741,764	2.8%	TOTAL OPERATING EXPENSES	4,852,785	5,258,205	(405,420)	(7.7%)	4,498,831	7.9%
LESS: WILLMAR MEDICAL SERVICES												
762,373	768,875	(6,502)	(0.8%)	741,764	2.8%	NET OPERATING EXPENSES	4,852,785	5,258,205	(405,420)	(7.7%)	4,498,831	7.9%
\$ (25,714)	\$ 34,525	\$ (60,239)		\$ 32,136	OPERATING INCOME (LOSS)							
					\$ (101,193)	\$ 61,015	\$ (162,208)	\$ 3,228				

RICE HOME MEDICAL
For the Month Ending July 31, 2012

	ACTUAL	% of SALES/GP	BUDGET	% of SALES/GP	% CHANGE	Prior Yr	% of SALES/GP	% CHANGE
GROSS SALES								
SALES REVENUE	\$608,815	63.5%	\$622,594	60.2%	(2.2%)	\$547,708	60.1%	11.2%
RENTS REVENUE	349,546	36.5%	411,470	39.8%	(15.0%)	362,988	39.9%	(3.7%)
MISC REVENUE	25	0.0%						
GROSS SALES	958,386	100.0%	1,034,064	100.0%	(7.3%)	910,696	100.0%	5.2%
LESS: CONTRACTUAL ALLOWANCES	(224,915)	(23.5%)	(232,664)	(22.5%)	(3.3%)	(139,030)	(15.3%)	61.8%
LESS: UNCOMPENSATED CARE	(291)	(0.0%)						
NET SALES	733,180	76.5%	801,400	77.5%	(8.5%)	771,666	84.7%	(5.0%)
COST OF GOODS SOLD								
OXYGEN	11,764	1.6%	13,286	1.7%	(11.5%)	9,832	1.3%	19.7%
EQUIPMENT	64,395	8.8%	90,831	11.3%	(29.1%)	99,036	12.8%	(35.0%)
SUPPLY - FREIGHT	14,321	2.0%	14,801	1.8%	(3.2%)	27,788	3.6%	(48.5%)
SUPPLY	220,965	30.1%	186,246	23.2%	18.6%	221,088	28.7%	(0.1%)
EQUIPMENT REPAIR	12,014	1.6%	15,451	1.9%	(22.2%)	17,765	2.3%	(32.4%)
SHOP EXPENSE	5,764	0.8%	358	0.0%	1,510.1%	7,152	0.9%	(19.4%)
EQUIPMENT RENTAL & LEASES			348	0.0%	(100.0%)			
PURCHASE DISCOUNTS	(3,479)	(0.5%)	(2,000)	(0.2%)	74.0%	(2,234)	(0.3%)	55.7%
TOTAL COST OF GOODS SOLD	325,744	44.4%	319,321	39.8%	2.0%	380,427	49.3%	(14.4%)
GROSS PROFIT	407,436	55.6%	482,079	60.2%	(15.5%)	391,269	50.7%	4.1%
OPERATING EXPENSES								
SALARIES & WAGES	225,837	30.8%	242,653	30.3%	(6.9%)	154,864	20.1%	45.8%
CONTRACT LABOR						11,872	1.5%	(100.0%)
SUPPLEMENTAL BENEFITS	63,924	8.7%	68,841	8.6%	(7.1%)	72,716	9.4%	(12.1%)
SUPPLIES AND DRUGS	8,290	1.1%	10,715	1.3%	(22.6%)	15,244	2.0%	(45.6%)
PURCHASED SERVICES	14,952	2.0%	24,052	3.0%	(37.8%)	44,648	5.8%	(66.5%)
REPAIRS, SERVICE & RENTALS	13,360	1.8%	18,089	2.3%	(26.1%)	(3,043)	(0.4%)	(539.0%)
UTILITIES	7,862	1.1%	8,507	1.1%	(7.6%)	8,467	1.1%	(7.1%)
INSURANCE	5,454	0.7%	5,322	0.7%	2.5%	5,731	0.7%	(4.8%)
PATIENT RELATED TRAVEL	10,760	1.5%	12,963	1.6%	(17.0%)	17,729	2.3%	(39.3%)
EDUCATION, TRAVEL, & DUES	2,129	0.3%	4,031	0.5%	(47.2%)	6,089	0.8%	(65.0%)
OTHER EXPENSE	23,696	3.2%	6,884	0.9%	244.2%	283	0.0%	8,273.1%
DEPRECIATION & AMORTIZATION	38,978	5.3%	34,051	4.2%	14.5%	(28,187)	(3.7%)	(238.3%)
INTEREST EXPENSE	4,115	0.6%	4,254	0.5%	(3.3%)	4,261	0.6%	(3.4%)
BAD DEBTS	9,406	1.3%	3,474	0.4%	170.8%	44,854	5.8%	(79.0%)
TAXES	4,387	0.6%	3,718	0.5%	18.0%	3,575	0.5%	22.7%
TOTAL OPERATING EXPENSES	433,150	59.1%	447,554	55.8%	(3.2%)	359,103	46.5%	20.6%
NET OPERATING INCOME (LOSS)	\$ (25,714)	-3.5%	\$ 34,525	4.3%	-174.5%	\$ 32,136	4.2%	

RICHT HOME MEDICAL
For the Seven Months Ending July 31, 2012

	ACTUAL	% of SALES/GP	BUDGET	% of SALES/GP	CHANGE	Prior Yr	% of SALES/GP	% CHANGE
GROSS SALES								
SALES REVENUE	\$3,727,939	62.2%	\$4,188,581	61.2%	(11.0%)	\$3,498,111	61.0%	6.6%
RENTS REVENUE	2,260,640	37.7%	2,659,415	38.8%	(15.0%)	2,235,975	39.0%	1.1%
MISC REVENUE	191	0.0%				4,621	0.1%	(95.9%)
GROSS SALES	5,988,770	100.0%	6,847,996	100.0%	(12.5%)	5,738,707	100.0%	4.4%
LESS: CONTRACTUAL ALLOWANCES	(1,274,344)	(21.3%)	(1,540,800)	(22.5%)	(17.3%)	(1,254,383)	(21.9%)	1.6%
LESS: UNCOMPENSATED CARE	(9,257)	(0.2%)				(1,100)	(0.0%)	741.5%
NET SALES	4,705,169	78.6%	5,307,196	77.5%	(11.3%)	4,483,224	78.1%	5.0%
COST OF GOODS SOLD								
OXYGEN	77,788	1.7%	86,813	1.6%	(10.4%)	78,048	1.7%	(0.3%)
EQUIPMENT	466,549	9.9%	642,273	12.1%	(27.4%)	522,598	11.7%	(10.7%)
SUPPLY - FREIGHT	98,035	2.1%	103,607	2.0%	(5.4%)	84,181	1.9%	16.5%
SUPPLY	1,167,268	24.8%	1,213,921	22.9%	(3.8%)	1,065,730	23.8%	9.5%
EQUIPMENT REPAIR	61,693	1.3%	110,486	2.1%	(44.2%)	71,286	1.6%	(13.5%)
SHOP EXPENSE	36,031	0.8%	2,460	0.0%	1,364.7%	24,997	0.6%	44.1%
EQUIPMENT RENTAL & LEASES			2,436	0.0%	(100.0%)			
PURCHASE DISCOUNTS	(46,424)	(1.0%)	(12,024)	(0.2%)	286.1%	(18,835)	(0.4%)	146.5%
TOTAL COST OF GOODS SOLD	1,860,940	39.6%	2,149,972	40.5%	(13.4%)	1,828,005	40.8%	1.8%
GROSS PROFIT	2,847,830	60.4%	3,157,224	60.5%	(9.5%)	2,655,700	60.2%	7.1%
OPERATING EXPENSES								
SALARIES & WAGES	1,521,430	32.3%	1,667,270	31.4%	(8.7%)	1,258,365	28.1%	20.9%
CONTRACT LABOR						38,109	0.9%	(100.0%)
SUPPLEMENTAL BENEFITS	435,876	9.3%	477,660	9.0%	(8.7%)	416,205	9.3%	4.7%
SUPPLIES AND DRUGS	57,108	1.2%	68,919	1.3%	(17.1%)	69,549	1.6%	(17.9%)
PURCHASED SERVICES	177,061	3.8%	168,364	3.2%	5.2%	190,577	4.3%	(7.1%)
REPAIRS, SERVICE & RENTALS	99,373	2.1%	126,623	2.4%	(21.5%)	99,082	2.2%	0.3%
UTILITIES	52,404	1.1%	69,641	1.3%	(24.8%)	65,753	1.5%	(20.3%)
INSURANCE	38,204	0.8%	37,254	0.7%	2.6%	39,677	0.9%	(3.7%)
PATIENT RELATED TRAVEL	89,721	1.9%	88,196	1.7%	1.7%	85,118	1.9%	5.4%
EDUCATION, TRAVEL, & DUES	40,090	0.9%	25,613	0.5%	56.5%	25,094	0.6%	59.8%
OTHER EXPENSE	58,133	1.2%	48,188	0.9%	20.6%	42,563	0.9%	36.6%
DEPRECIATION & AMORTIZATION	284,260	6.0%	238,353	4.5%	19.3%	207,306	4.6%	37.1%
INTEREST EXPENSE	28,612	0.6%	29,778	0.6%	(3.9%)	37,170	0.8%	(23.0%)
BAD DEBTS	32,343	0.7%	24,318	0.5%	33.0%	50,294	1.1%	(35.7%)
TAXES	30,806	0.7%	26,032	0.5%	18.3%	27,129	0.6%	13.6%
TOTAL OPERATING EXPENSES	2,945,421	62.6%	3,096,209	58.3%	(4.9%)	2,651,991	59.2%	11.1%
NET OPERATING INCOME (LOSS)	\$ (101,192)	(2.2%)	\$ 61,015	1.1%		\$ 3,228	0.1%	

RICE MEMORIAL HOSPITAL
CONSOLIDATED CASH FLOW STATEMENT

FOR THE PERIOD ENDED:

July 31, 2012

Line #	Current YTD	Prior YTD
1 Sources of Cash & Investments:		
2 Net Income	\$ 971,434	\$ 3,532,386
3 Depreciation & Amortization	4,638,592	\$ 4,192,851
4 Debt Proceeds	-	3,000,000
5 Other		
6		
7 Total Sources	<u>5,610,026</u>	<u>10,725,237</u>
8		
9 Uses		
10 Property, Plant, and Equipment - Gross	3,939,729	4,950,708
11 Debt Payments/Re-funding	2,605,735	574,282
12 Working Capital Changes & Other - Net	(1,655,876)	(2,046,556)
13		
14 Total Uses	<u>4,889,588</u>	<u>3,478,434</u>
15		
16 Increase / (Decrease) Cash & Investments	720,438	7,246,803
17		
18 Beginning of Period (January 1)	<u>28,854,321</u>	<u>19,798,398</u>
19		
20 End of Period	<u><u>\$ 29,574,759</u></u>	<u><u>\$ 27,045,201</u></u>

**STATISTICAL AND VOLUME SUMMARY
FOR THE PERIOD ENDED:
July 31, 2012**

CURRENT MONTH

Line #	Actual	Budget	Var.	Var. %	Prior Yr.
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1	478	543	(65)	-12.0%	477
2	140	225	(85)	-37.8%	255
3	51	70	(19)	-27.1%	92
4	219	200	19	9.5%	221
5	888	1,038	(150)	-14.5%	1,045
6					
7	28.6	33.5	(4.8)	-14.5%	33.7
8					
9	3.64	3.50	0.14	4.0%	3.52
10					
11	264	297	(33)	-11.0%	292
12	167	238	(71)	-29.8%	227
13					
14	-	1,268	(1,268)	-100.0%	1,251
15	1,054	1,036	0.018	1.7%	0.979
16					
17	856	874	(18)	-2.1%	868
18	2,879	3,059	(180)	-5.9%	3,106
19					
20	33	16	17	106.3%	25
21	97	157	(60)	-38.2%	167
22					
23	4.2	5.6	(1.4)	-24.9%	6.2
24					
25	51	74	(23)	-31.1%	80
26					
27	2,305	2,325	(20)	-0.9%	1,834
28	74.4	75.0	(0.6)	-0.9%	59.2
29					

YEAR-TO-DATE

Actual	Budget	Var.	Var. %	Prior Yr.	Act/Prior Var. %
--------	--------	------	--------	-----------	------------------

Patient Days					
Adult Health Care					
Women and Children's Care					
ICCU					
Mental Health					
Total Adult & Peds					
3,606	3,923	(317)	-8.1%	4,178	-13.7%
1,512	1,598	(86)	-5.4%	1,722	-12.2%
440	493	(53)	-10.8%	534	-17.6%
1,431	1,297	134	10.3%	1,405	1.9%
6,989	7,311	(322)	-4.4%	7,839	-10.8%
Average Daily Census					
32.8	34.3	(1.5)	-4.4%	37.0	-11.3%
Average Length of Stay					
3.52	3.50	0.02	0.6%	3.53	-0.2%
Admissions-Inpatient Observation patients					
1,989	2,089	(100)	-4.8%	2,222	-10.5%
1,558	1,769	(211)	-11.9%	1,624	-4.1%
Medicare Case Mix Index Case Mix Index-Total					
-	1,268	(1,268)	-100.0%	1,219	-100.0%
1,037	1,036	0.001	0.1%	1,021	1.5%
Adjusted Admissions Adjusted Patient Days					
6,114	5,947	166	2.8%	6,321	-3.3%
21,458	20,816	642	3.1%	22,275	-3.7%
Intermediate Care Nursery Nursery					
83	161	(78)	-48.4%	180	-53.9%
858	985	(127)	-12.9%	1,045	-17.9%
Average Daily Census-ICN/Nursery					
4.4	5.4	(1.0)	-17.9%	5.8	-23.5%
Births					
425	468	(43)	-9.2%	469	-9.4%
Rice Care Center-Days					
15,359	15,974	(615)	-3.9%	13,291	15.6%
72.1	75.0	(2.9)	-3.9%	62.7	15.0%

RICE MEMORIAL HOSPITAL

July 31, 2012

	CURRENT MONTH					YEAR-TO-DATE					Act/Prior	
	Actual	Budget	Var.	Var. %	Prior Yr.	Actual	Budget	Var.	Var. %	Prior Yr.	Var. %	
30												
31	112	121	(9)	-7.4%	123	Ancillary Services						
32	204	267	(63)	-23.6%	271	IP Surgeries	884	1,054	(170)	-16.1%	1,080	-18.1%
33	316	388	(72)	-18.6%	394	OP Surgeries	1,811	1,917	(106)	-5.5%	1,949	-7.1%
34						Total Surgeries	2,695	2,971	(276)	-9.3%	3,029	-11.0%
35	153	189	(36)	-19.0%	184	ER Visits-Inpatient	1,217	1,364	(147)	-10.8%	1,329	-8.4%
36	1,032	1,186	(154)	-13.0%	1,188	ER Visits-Outpatient	6,627	6,658	(31)	-0.5%	6,668	-0.6%
37	1,185	1,375	(190)	-13.8%	1,372	ER Visits-Total	7,844	8,022	(178)	-2.2%	7,997	-1.9%
38												
39	22,224	25,240	(3,016)	-11.9%	24,496	Lab Tests	165,438	173,531	(8,093)	-4.7%	175,250	-5.6%
40	1,499	1,501	(2)	-0.1%	1,552	Medical Imaging Procedures	10,752	10,283	469	4.6%	10,805	-0.5%
41	433	607	(174)	-28.7%	558	Radiation Oncology Treatments	4,533	4,307	226	5.2%	4,286	5.8%
42	206	159	47	29.6%	163	Medical Oncology Visits	1,572	1,269	303	23.9%	1,301	20.8%
43	112	121	(9)	-7.4%	131	GI Procedures	827	815	12	1.5%	968	-14.6%
44	858	731	127	17.4%	699	Dialysis Treatments	5,244	4,940	304	6.2%	4,954	5.9%
45	3,647	3,566	81	2.3%	3,426	Rehab Visits	25,913	25,118	795	3.2%	25,095	3.3%
46	2,140	1,927	213	11.1%	1,839	Hospice Visits	13,558	14,047	(489)	-3.5%	14,406	-5.9%
47	242	226	16	7.1%	232	Ambulance Runs	1,550	1,521	29	1.9%	1,520	2.0%
48												
49												
50						Full Time Equivalents (FTE's)						
51	636	625	11	1.7%	637	FTE's - Hospital	647	638	9	1.4%	627	3.1%
52	90	77	13	16.8%	72	FTE's - Care Center	85	77	8	11.0%	71	20.5%
53	72	71	1	0.8%	67	FTE's - Home Medical	70	71	(1)	-1.3%	65	8.0%
54	797	773	24	3.2%	776	Total FTE's	802	786	16	2.1%	763	5.2%

PUBLIC WORKS/SAFETY COMMITTEE REPORT 12-10
CITY OF WILLMAR
TUESDAY, SEPTEMBER 11, 2012

A meeting of the Public Works/Safety Committee was called to order at 4:45 p.m. on Tuesday, September 11, 2012, by Chairman Doug Reese at the City Office Building. Members present were: Council Members Bruce DeBlieck, Rick Fagerlie, and Ron Christianson. Also present were: Mayor Frank Yanish; Charlene Stevens, City Administrator; Holly Wilson, Public Works Director; Dave Wyffels, Police Chief; Brian Bollig, Bollig, Inc.; Josh Halvorson, Donohue and Associates; David Little, "West Central Tribune" and Janell Sommers, Recording Secretary.

1. CONSIDERATION OF ENGINEERING/SURVEYING SERVICES:

Public Works Director Wilson presented the results of the proposals received for Engineering/Surveying Services. The request included the survey and design work for the 2013 Construction Projects. It does not include the essential day-to-day operations, survey data for in-house engineering design, construction inspection, locating property corners, utility locates and data collection for the City's MS4 requirements. Discussion was held regarding filling the position of Engineering Technician/Surveyor which will be brought before the Labor Relations Committee.

Three proposals were received with the low proposal being that of Bollig Inc. in the amount of \$85,585.00. The work scope includes preliminary survey this fall so the final plans can be complete in early February. Bollig Inc. proposed completing the work in fewer hours than the other two firms. The committee addressed some questions to Brian Bollig, and after further discussion, a motion was made by Council Member Christianson, seconded by Council Member Fagerlie, and passed for the following

RECOMMENDATION:

Accept the proposal of Bollig, Inc. in the amount of \$85,585.00 and authorize the Mayor and City Administrator to enter into an agreement on behalf of the City. (Resolution)

2. CONSIDERATION OF INTERIM ENGINEERING SERVICES:

As a result of the resignation of the Public Works Director/City Engineer, staff requested proposals from three local engineering firms for Interim City Engineering Services based on an hourly basis. The example of some tasks that would be required by the consultant which would require a Civil Engineer and Professional Engineer's License were reviewed by the committee. The firm with the lowest hourly rate was Bolton and Menk, Inc. at \$60.00 hour. It was staff's

recommendation to proceed with their proposal. A motion was made by Council Member Christianson, seconded by Council Member Fagerlie, and passed for the following

RECOMMENDATION:

Enter into an agreement on an hourly basis of \$60.00 per hour with Bolton and Menk, Inc. for Interim Engineering Services. (Resolution)

3. REVIEW OF BARKING DOG ORDINANCE (FOR INFORMATION ONLY):

Review of the barking dog ordinance was brought back to committee for further consideration. Police Chief Wyffels contacted various communities requesting a summary of the consideration for a violation of the ordinance and presented it to the committee for discussion. In reviewing the ordinances of other communities, it was noted that Willmar is the most restrictive. No action was taken.

4. MISCELLANEOUS ITEMS (FOR INFORMATION ONLY):

Council Member Christianson brought up the condition of some areas of curbing along 9th Street SW that have been damaged. Staff stated it is current practice that these areas would be fixed when the street is reconstructed.

Also brought up was the condition of the railroad crossing at 10th Street SW. It was noted that staff has contacted Burlington Northern Santa Fe on several occasions requesting the potholes be repaired. City staff cannot perform work in railroad right-of-way.

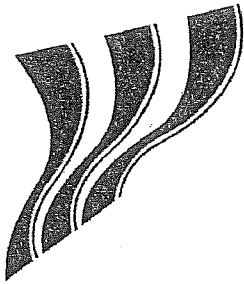
There being no further business to come before the committee, the meeting adjourned at 5:17 p.m.

Respectfully submitted:



Holly Wilson, PE
Public Works Director

Janell Sommers
Recording Secretary



**CITY OF WILLMAR, MINNESOTA
REQUEST FOR COMMITTEE ACTION**

Agenda Item Number: _____

Meeting Date: September 11, 2012

Attachments: ☒ Yes ☐ No

CITY COUNCIL ACTION

Date: September 17, 2012

☐ Approved ☐ Denied
☐ Amended ☐ Tabled
☐ Other

Originating Department: Public Works - Engineering

Action Requested: Authorize the Mayor and City Administrator to enter into an agreement with Bollig, Inc. for Engineering and Surveying Services and advertise to fill the vacant Engineering Technician/Surveyor position.

Introduction: As a result of the resignation of Engineering Technician/Surveyor position in July, staff requested permission to post and fill the vacant position. The direction from City Council was to solicit RFPs from local engineering firms to perform the tasks done by the Engineering Technician/Surveyor for the annual street work. A copy of the Request for proposals is attached.

Background/Justification:

1. The position of the Engineering Technician/Surveyor is essential to the day to day operations. It is a unique position with a specific skill set, such that duties are not easily shifted to other staff.
2. This position provides immediate response for survey requests, provides construction staking, collects survey data for in-house engineering design, provides construction inspection, and prepares data collection to meet the City's MS4 requirements.
3. The position of Engineering Technician/Surveyor was vacant in 2009. At that time, quotes were received for construction staking. The City paid \$9,357.75 for 8 blocks of staking.
4. In addition to construction staking, the position of Engineering Technician/Surveyor also provides survey information for preliminary design, prepares plans, updates as-built information, performs the required MS4 outlet inspections, conducts bituminous plant monitoring for state aid projects, and assists with over 2000 locate requests per year.
5. In 2013, the City has 2 Federal projects that will be constructed. Federally funded projects require additional testing as well as additional detail design work.
6. The starting salary for an Engineering Technician is \$36,150.40 plus benefits for a total of \$57,541.00
7. Staff received three proposals for the Engineering & Surveying Services

Firm Name	Proposal Amount	Hours Proposed
Bolton & Menk, Inc.	\$249,880	3042
O'Malley & Kron Land Surveyors Inc. / Donohue & Associates, Inc.	\$203,211	2046
Bollig, Inc.	\$85,585	1708

Fiscal Impact: The Engineering Technician/Surveyor position was included in the 2012 and 2013 budget requests. The outside contract will cost an additional \$28,044, some of which may come from 2012 salary savings.

Alternatives:

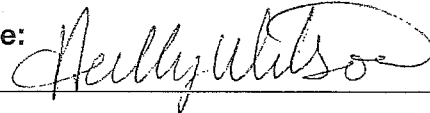
1. ~~Enter into a contract with Bollig, Inc. for Engineering and Surveying Services for projects to be completed in 2013 and fill position of the Engineering Technician/Surveyor position~~
2. Enter into a contract with Bollig, Inc. for Engineering and Surveying Services for projects to be completed in 2013 and maintain existing staff levels

Staff Recommendation: Adopt a resolution authorizing the Mayor and City Administrator to enter into an agreement with Bollig, Inc. for an amount of \$85,585 on behalf of the City and ~~advertise to fill the vacant Engineering Technician/Surveyor position.~~

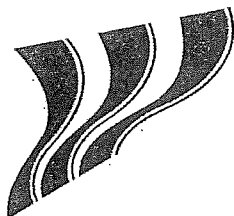
Reviewed by: Charlene Stevens, City Administrator

Preparer: Holly Wilson, Public Works Director

Signature:



Comments:



★ WILLMAR

PUBLIC WORKS DEPARTMENT
DIRECTOR/CITY ENGINEER

333 SW 6TH ST
WILLMAR, MN 56201
320-235-4202
FAX 320-235-4917

CITY OF WILLMAR

Request for Proposal Engineering Surveying Services

PURPOSE

The City of Willmar is seeking proposals from professional civil engineering firms to provide general civil engineering services, plan preparation and surveying required by the City of Willmar and to assist the City Engineering Department as needed.

BACKGROUND

The engineering services to be provided may include:

Preliminary survey of project areas, preparation of plans for varying in complexity, construction staking, and as built surveying for a portion of the City's annual street improvement project (map enclosed).

SCOPE OF PROPOSAL SERVICES

Engineering and surveying services as requested on public works projects including, but not limited to, sanitary sewer, storm sewer, street paving, street resurfacing, water mains, sidewalks, paths, and bridges in accordance with City standards and procedures.

Datum to be collected using Kandiyohi County coordinate system for horizontal and vertical control in the City's official vertical datum of NAVD88 and horizontal datum of NAD83.

Preliminary Survey:

1. Right-of-way boundary locations and survey of as many property corners as possible to be replaced post construction.
2. Existing centerline grades at 50 foot intervals.

3. Existing gutter line and back of curb grades at 50 foot intervals.
4. Location and elevation of all existing storm and sanitary manholes and catch basins with measure downs and pipe sizes.
5. Location and elevation of all existing water lines with curb stops and hydrants.
6. All public and private utilities as located by Gopher State One Call.
7. Topographic survey of existing ground, from house face to house face including all sidewalks, driveways, curb cuts, landscaping, and other improvements at 1 foot contour intervals.
8. Furnish the point file with the coordinates and elevations.

City will televise sanitary sewer and will determine replacements. Deliverables are in .dwg format. The .dwg consists of the line work for all the improvements as located from the above specifications and contours.

Construction Staking:

1. Stake sanitary sewer and water lines at 50 foot intervals and all structures.
2. Stake storm sewer lines at 50 foot intervals and all structures.
3. Blue top centerline to subgrade.
4. Stake 3 foot offset to top back of curb at 25 foot intervals.
5. Blue top centerline to finish grade.

Plans:

The preparation of plans shall follow schedule as indicated in the proposal.

As-Built Construction Plans:

As-built construction plans will be done by City Engineering Department with data provided by consultant and include:

1. Location and elevation of all sanitary and storm structures with pipe size and invert.
2. Location and elevation of all hydrants and curb stops.

3. Replace all property corners that were located before construction and destroyed during construction. This does not include putting in corners that were not there prior to construction

PROPOSAL SCHEDULE

A tentative schedule is included below. The proposals submitted shall use this schedule as a guide to further define an appropriate work schedule in accordance with the requirements of the Proposal. The final schedule will be negotiated based on the final scope of work and work plan agreed to by the City and the selected consulting firm. The City of Willmar may begin utilizing the engineering services outlined in the 'SCOPE OF SERVICES' and elsewhere in this document, after the City Council's approval of the selected consultant(s) and as early as September 2012.

Milestone	Date
RFP Release	July 27, 2012
RFP Deadline	August 15, 2012
Firm Interviews	Week of August 21, 2012
Recommendation to City Council	August 28, 2012
Expected City Council Approval	September 4, 2012
30% Plans for Review	October 31, 2012
City to Televisе Sanitary Sewer	To be determined
90% Plans for Review	December 21, 2012
Final Plans	February 3, 2013

REQUIREMENTS

1. Ability to work effectively with the City's Engineering Department staff with respect to any of the civil engineering services required by the City.
2. Ability to work effectively with the public and the public agencies.
3. The ability to function in a support role to the City Engineering Department. The consultants' services will be utilized for the civil engineering activities that exceed the staff level of the City Engineering Department.
4. The ability to work with contractors and owners of property to assist and accommodate orderly construction activity related within the City while minimizing inconveniences and delays.

PROPOSAL CONTENTS

In keeping with the objective, the description, the requirements, and the consultant's tasks as previously indicated in this Request for Proposal, the consultants submitting proposals shall outline in detail the manner in which the consultant shall work with the City to fulfill the city's needs.

The outline at a minimum shall address:

1. Staffing and personnel.
2. Communication and coordination.
3. Compatibility with City's standards, goals and objectives.
4. Working relationship between consultant and City staff.
5. Information which will assist the City to determine the consultant's capability of performing the work.

PROPOSAL EVALUATION

Selection Committee will evaluate and rate the proposals using the criteria listed below. The following information must be included in each proposal and will form the basis of the evaluation.

Professional Qualification:

1. State the full name and address of your organization and, if applicable, the branch office or other subordinates element that will perform, or assist in performing, the work hereunder. Indicate whether it operates as an individual, partnership, or corporation. If as a corporation, include the state in which it is incorporated. If appropriate, indicate whether it is licensed to operate in the State of Minnesota.
2. Include the number of executive and professional personnel by skill and qualification that will be employed in the work. Show where these personnel will be physically located during the time they are engaged in the work. Indicate which of these individuals you consider key to the successful completion of the project. Identify individuals who will do the work on this project by name and title. Resumes or qualifications are required for proposed

project personnel who will be assigned to the project. Qualifications and capabilities of any sub consultants shall be included.

3. State history of firm, in terms of length of existence, types of services provided, etc. Identify the technical details that make the firm uniquely qualified for this work.

Past Involvement With Similar Projects:

The written proposal must include a list of specific experience in the project area and indicate proven ability in developing detailed designs and implementing similar projects for the firm and the individuals to be involved in the project. The proposal should also indicate the ability to have projects completed within the budgeted amounts. A complete list of client references must be provided for similar projects recently completed. It shall include the firm's/agency's name, address, telephone number, project title, and contact person.

Proposed Work Plan

A detailed work plan is to be presented which lists all tasks determined to be necessary to accomplish the work of the project. In addition, the work plan shall include a time line schedule depicting the sequence and duration of tasks showing how the work will be organized and executed.

The work plan shall be sufficiently detailed and clear to identify the progress milestones, i.e. when project elements, measures, and deliverables are to be completed. Additional project elements suggested by the proposer that are thought to be necessary for the completion of the project are to be included in the work plan and identified as proposer-suggested elements.

Identify all of those, if any, who will be subcontracted to assist you with this project, and the extent of work for which they will be responsible. Include similar reference data for subcontractors and employees as requested above for the main proposer.

Include any other information that you believe to be pertinent, but not specifically asked for elsewhere.

Fee Schedule

Fee quotations shall be submitted in a single, separate, sealed envelope with the proposal. Any proposal not complying with this requirement may be subject to disqualification.

Fee quotations are to include the names, title, hourly rates, overhead factors, and any other details by which the overall and project element costs have been derived. The fee quotation is to relate in detail to each item of the proposed work plan, including the proposer-suggested project elements and proposer-suggested contingencies, if any.

PROPOSAL SUBMITTAL

Submit six (6) copies of the Proposal and one sealed envelope containing six (6) price proposals no later than 1:00 p.m., August 15, 2012. The sealed envelope containing the price proposals shall be labeled "Price Proposal." Email responses will not be considered. All costs incurred in responding to this RFP will be borne by the responder.

Send complete proposals to:

Holly Wilson, PE
Public Works Director
City of Willmar
333 SW 6th Street
Willmar, MN 56201
(320) 235-4202

The City reserves the right to award the total proposal, to reject any and all proposals in whole or in part, and to waive any informality or technical defects if, in the City sole judgment, the best interests of the City will be so served.

CHANGES IN THE RFP

Should any prospective proposer be in doubt as to the true meaning of any portion of this Request for Proposal, or should the proposer find any ambiguity, inconsistency, or omission therein, the Proposer shall make a written request for an official interpretation or correction. Such requests must be received by the City of Willmar not less than seven days prior to the final date of submittal of the proposals.

Such interpretation or correction, as well as any additional RFP provisions that the City may decide to include, will be made only as an official addendum, and will be sent to each firm recorded as having received a copy of the RFP. Any addendum issued by the City shall become part of the RFP and will be incorporated in the proposal.

City of Willmar

Survey and Plan Preparation Needs For 2013

07-19-12

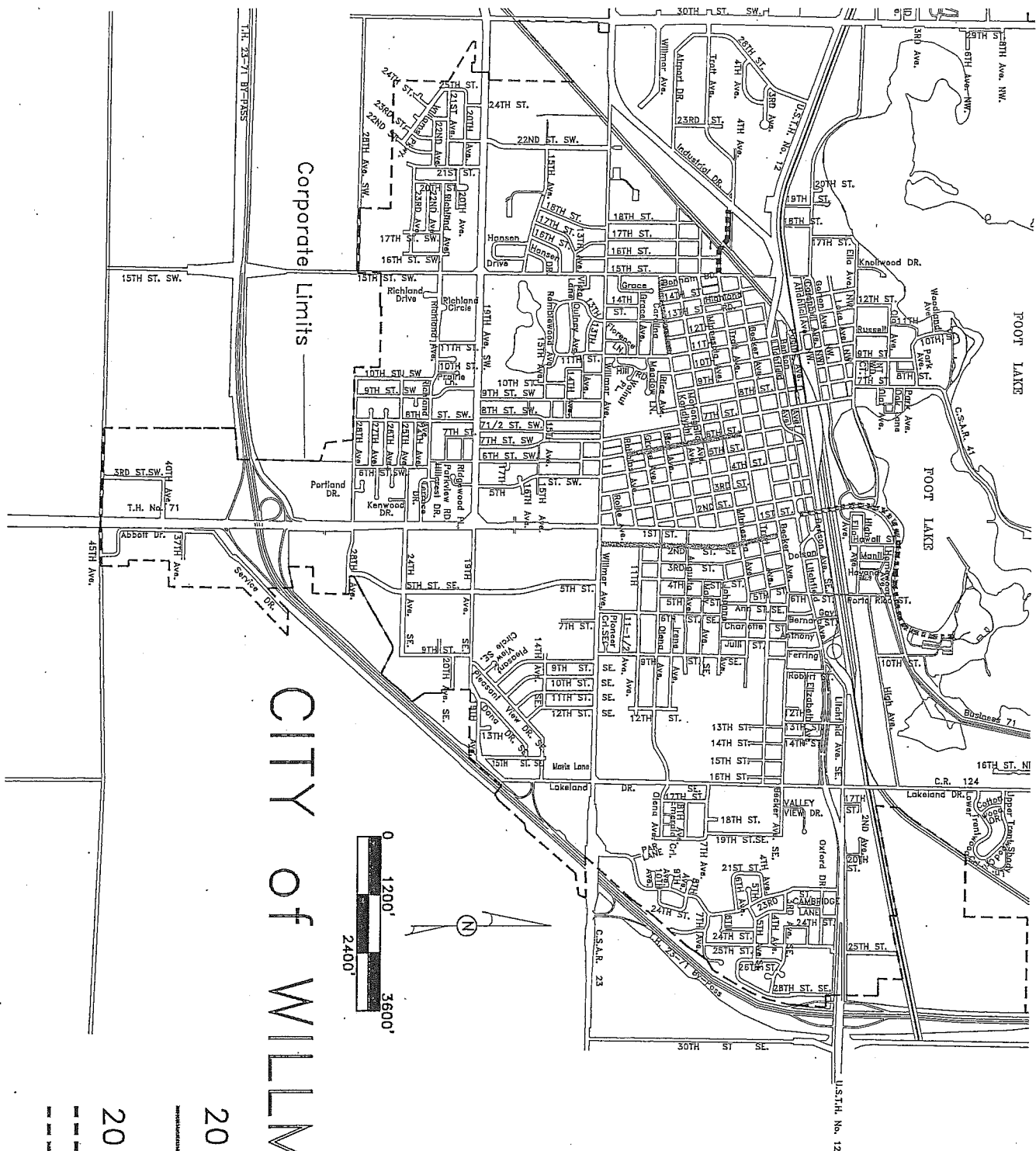
Approximate Length

Reconstruction

Havana St. NE - High Ave. NE to north end	270 ft
2nd St. SE - Willmar Ave. SE to Becker Ave. SE	3760 ft
Kandiyohi Ave. SW - 11th St. SW to 15th St. SW	1650 ft
6th St. SW - Robbins Ave. SW to Trott Ave. SW	2450 ft

Federal Projects

Path Project— Downtown Willmar to Robbins Island	5400 ft
Trott Ave. SW — BNSF Quiet Zone and Overlay 16 th St to Industrial Blvd.	1400 ft



CITY of WILLMAR

2013 City Street Project

Complete Reconstruction

2013 Federal Projects

Railroad Quiet Zone and Overlay
Path and Signal Upgrade



WILLMAR

PUBLIC WORKS

ADDENDUM NO. 1
City of Willmar
Engineering Surveying Services

DIRECTOR/CITY ENGINEER
City Office Building
Box 755 320-235-4202
STREET/PARK SUPERINTENDENT
801 W. Hwy. 40 320-235-3827
WASTEWATER TREATMENT
3000 75th St. SW 320-235-4760
Willmar, Minnesota 56201
Fax 320-235-4917
www.ci.willmar.mn.us

TO: Prospective Proposers

The following items related to the Engineering Surveying Services Request for Proposal are being provided to you as additional information. Please note the deadline has been changed to August 22, 2012 at 1:00 p.m.

- Several types of plan documents will be required; plan documents for reconstruction projects receiving Federal Funds (path and railroad crossing), plan documents for State Aid reconstruction (Kandiyohi Avenue), and plan documents for local City reconstruction projects.
- A copy of plans prepared by the Engineering Department is being provided to you as a guide for preparing the required documents.
- A copy of the project memorandum for the federally-funded path project is also being provided as additional information.
- The proposal would best be submitted with the following cost breakdown:
 - Federal
 - Preliminary survey
 - Design
 - Construction staking
 - As-built survey
 - Reconstruction
 - Preliminary survey
 - Design
 - Construction staking
 - As-built survey
- Plans submitted for bidding will require a signature from a Professional Engineer
- Estimated costs are as follows:
 - Downtown Willmar to Robbins Island path - \$200,000
 - Railroad crossing at Trott Avenue - \$250,000 - \$300,000
 - Reconstruction - \$1.8 M - \$2 M



If you have any questions, feel free to call the City Engineer's Office at (320) 235-4202. Please acknowledge receipt of this addendum on your proposal. Thank you.

Sincerely,

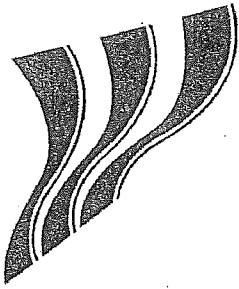
CITY OF WILLMAR

A handwritten signature in cursive script, appearing to read "Holly Wilson", written in dark ink.

Holly Wilson, PE
Public Works Director

Js

Attachments - Plan Sheets and Project Memorandum



**CITY OF WILLMAR, MINNESOTA
REQUEST FOR COMMITTEE ACTION**

Agenda Item Number: _____

Meeting Date: September 11, 2012

Attachments: Yes ☒ No

CITY COUNCIL ACTION

Date: September 17, 2012

☐ Approved ☐ Denied
☐ Amended ☐ Tabled
☐ Other

Originating Department: Public Works - Engineering

Action Requested: Authorize the Mayor and City Administrator to enter into an agreement with Bolton & Menk, Inc. for Interim City Engineering Services

Introduction: As a result of the resignation of the Public Works Director/City Engineer staff is requesting a resolution to enter into a contract with Bolton & Menk, Inc. for Interim City Engineering Services on an hourly basis.

Background/Justification:

1. The position of City Engineer provides services for the City that requires a Professional Engineer's License. Some of those tasks include:
 - Street Improvement Construction Plans (overlay projects specifically for 2013)
 - Plat Review
 - Municipal State Aid "Needs" Reporting
 - Annual Street Mileage Certification
 - Bridge Safety Inspection Program Administration
 - SWPPP preparation, review and implementation
2. Additional tasks which will be required by the consultant which require a Civil Engineer background will include
 - Building Permit review
 - Drainage Plan reviews for site plans, new construction, redevelopment, etc.
 - MS4 permit renewal
 - Plan review
 - State Aid reimbursements
 - Pay estimates and Daily correspondence

3. Staff received three proposals for the Engineering & Surveying Services

Firm Name	Proposal Amount
Bolton & Menk, Inc.	\$60/hour
Donohue & Associates, Inc.	\$95/hour
Bollig, Inc.	\$105/hour

4. Bolton & Menk, Inc. currently services as the City's consultant for Airport Services and has a good working relationship with staff.

Fiscal Impact: Funding will come from any salary savings of the Director vacancy during the interim period.

Alternatives:

1. Enter into a contract with Bolton & Menk, Inc. for Interim Engineering Services
2. Enter into a contract with a different firm for Interim Engineering Services

Staff Recommendation: Adopt a resolution authorizing the Mayor and City Administrator to enter into an agreement with Bolton & Menk, Inc. for an amount of \$60/hour for Interim Engineering Services on behalf of the City.

Reviewed by: Charlene Stevens, City Administrator

Preparer: Holly Wilson, Public Works Director

Signature:



Comments:

Community	Time Limit
Willmar	Barking for three minutes with less than one minute interruption.
Atwater	Barking for three minutes with less than one minute interruption.
Sauk Centre	Barking for five minutes with less than one minute interruption.
Hutchinson	Repeated intervals of at least five minutes with less than one minute of interruption.
Spicer	Repeated intervals of at least five minutes with less than one minute of interruption.
Rochester	More than five minutes continuous or more than 1 hour intermittent barking.
St Paul	Continuously for more than five minutes.
Marshall	Longer than five minutes.
Mankato	More than five minutes and then call 911. They do not specify what must be done after you call 911 other than they contact the owner and advise them of the problem. Too subjective.
St. Cloud	Continuously for more than six minutes.
Minneapolis	Continuously for more than 20 minutes or continuously for more than 10 minutes on 3 separate occasions in 14 days or continuously for more than 5 minutes between the hours of 11:00pm and 6:00am on 3 separate occasions in the period of 14 days.
New London	No time regulation. Simply declares any barking dog to be a nuisance and the owner can be charged with a nuisance violation. This could be interpreted as 20 seconds of barking violates the ordinance. Too subjective.
Alexandria	No time regulation. Simply declares any barking dog to be a nuisance and the owner can be charged with a nuisance violation. This could be interpreted as 20 seconds of barking violates the ordinance. Too subjective.
Detroit Lakes	No time regulation. Simply declares any barking dog to be a nuisance and the owner can be charged with a nuisance violation. This could be interpreted as 20 seconds of barking violates the ordinance. Too subjective.

**COMMUNITY DEVELOPMENT COMMITTEE
CITY OF WILLMAR, MINNESOTA
THURSDAY, SEPTEMBER 13, 2012**

MINUTES

The Community Development Committee of the Willmar City Council met on Thursday, September 13, 2012, in Conference Room No.1 at the City Office Building. Chair Dokken called the meeting to order at 4:45pm.

Present:

Jim Dokken	Chair
Steve Ahmann	Council Member
Ron Christianson	Council Member
Bruce DeBlick	Council Member
Bruce Peterson	Director of Planning and Development Services

Others present: Kim Fedder - Regency Mobile Home Park Manager and Jose Montoya - Park Maintenance

1. PUBLIC COMMENTS (FOR INFORMATION ONLY)

There were no public comments offered at this meeting.

2. MOBILE HOME PARKS (FOR INFORMATION ONLY)

Kim Fedder, the manager at Regency Mobile Home Parks in Willmar, along with Jose Montoya, appeared before the Committee to discuss the maintenance and operations of the mobile home parks. It is estimated that there are 60 homes remaining in the west park and 45 homes remaining in the east park after the most recent demolitions. There have been 40 evictions over the past 2 years and more are coming. The management is working to remove abandoned mobile homes. They have done 20 to 30 over the past 2 years. It is estimated that there are 25 to 35 children in the east park and even more in the west park. The mobile home park representatives stated the need for a playground near the east park. It was noted that on a scale of 1-10, most remaining mobile homes rate a 3 or 4. The residents are poor and cannot afford the maintenance. All homes are owner occupied. Management plans to add newer home as the bad tenants are removed. Both parks are currently for sale.

It was a consensus of the Committee that the mobile homes are a necessary part of the housing spectrum and that they provide an affordable housing alternative. Staff stated that no major inspection efforts were planned for individual homes in the near future. It was suggested by the Committee that the management contact Heartland Community Action Agency to address housing maintenance and energy issues. The representatives of the mobile home parks were thanked for their efforts and urged to continue moving the parks in the right direction.

3. NEIGHBORHOOD ISSUES (FOR INFORMATION ONLY)

Chair Dokken said there has not been much use of the City website by citizens to register complaints or raise questions. It was requested that Mark Boeschen attend the September 27th

Community Development Meeting to give a website demonstration on the Citizen Support Center.

4. PLANNING AND DEVELOPMENT SERVICES UPDATED (FOR INFORMATION ONLY)

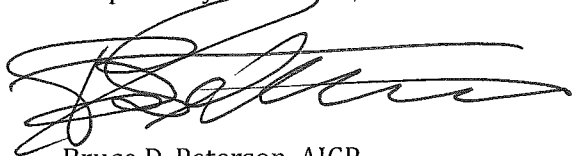
Staff presented updates on Commercial/Industrial projects, as well as departmental activities. The departmental activities include work on the airport land release, airport redevelopment, industrial park infrastructure, and downtown planning.

5. MISCELLANY (FOR INFORMATION ONLY)

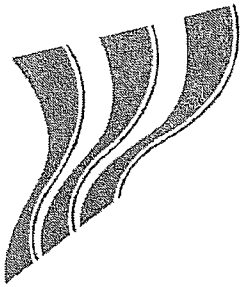
The Committee raised several issues under miscellany; those included the status of the Erickson furniture building, schedule for a downtown parking study and other Design Center activities, Rice Care Center project, the status of Lincoln School, and the future use of the Garfield School site.

6. There being no further business to come before the Committee, the meeting adjourned at 6:00pm.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'B. Peterson', with a stylized, flowing script.

Bruce D. Peterson, AICP
Director of Planning and Development Services



CITY OF WILLMAR, MINNESOTA
REQUEST FOR COMMITTEE ACTION

Agenda Item Number: 11

Meeting Date: September 17, 2012

Attachments: ☒ Yes ☐ No

CITY COUNCIL ACTION

Date: _____

☐ Approved ☐ Denied
☐ Amended ☐ Tabled
☐ Other

Originating Department: Planning and Development Services/Police Department

Action Requested: Introduce "Animal" ordinance for a public hearing.

Guiding Principle: Maintain a regulatory process that is fair and enforceable.

Introduction: This ordinance would replace an existing section of the Municipal Code with clearer, more objective language.

Background/Justification: The Council pursued a change to the "Animal" ordinance to eliminate subjective decision-making and create clearer standards for the keeping of animals.

Fiscal Impact: City will lose permit fee revenue averaging \$40/year.

Alternatives:

1. Leave Municipal Code as is.
2. Create more and different standards.
3. Disallow the keeping of all animals.

Staff Recommendation: Introduce the ordinance for a hearing on October 1, 2012.

Reviewed by:

Preparer: Bruce Peterson

Signature: 

Comments:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WILLMAR, MINNESOTA AMENDING CITY CODE
CHAPTER 4, ANIMALS, ARTICLE I, IN GENERAL

The City Council of the City of Willmar hereby ordains as follows:

Section 1. City Code Chapter 4, Animals, Article I, In General shall be repealed in its entirety, and replaced with the following:

Sec. 4-1. - Intent

The City of Willmar recognizes a need to balance the desire of persons to introduce, harbor, own, keep, care for, feed, or shelter an animal within the boundaries of the city limits against the general safety, health, peace, and repose of the general population of the city. It is with this intent that the following regulations are imposed.

Sec. 4-2. - Definitions

The following definitions apply for the purpose of this ordinance.

Animal shall mean any living animal, domesticated, semi-domesticated, captive-wild or wild which is not specifically named or having been identified as meeting one of the conditions listed in Sec. 4-6.

At large shall mean off of lands owned or possessed by the owner and upon the public streets, sidewalks, alleys or other public or private property.

Owner shall mean any person owning, harboring or keeping an animal.

Sec. 4-3. - Keeping of animals declared a nuisance.

It is unlawful to introduce, permit, harbor, keep, care for, feed, or shelter any animal in the city of Willmar except as otherwise provided under Sec. 4-6; doing so constitutes a public nuisance.

Sec. 4-4. - Allowing animals to run at large.

It shall be unlawful for any owner or any person having the control of any animal, including those listed in Sec. 4-6, to allow or permit the same to run at large within the city.

Sec. 4-5. - Animals found to be in violation.

Animals found in violation of this ordinance shall be confiscated, held for five regular business days and summarily destroyed if not claimed. If the owner of an animal found in violation of this ordinance can be determined, the owner shall be notified of the City's possession of the animal and the date on which the animal will be destroyed pursuant to this Section. During those five regular business days an owner may arrange for the care and shelter of the animal outside the city limits of Willmar, in which case the City shall release the animal to the owner upon proof that satisfactory arrangements have been made. The owner shall pay for all costs incurred for the care, shelter and keep of the animal during the impoundment period prior to the release of the animal. In addition, the owner may also be charged with violation of this ordinance.

Sec. 4-6. – Allowable Exclusions

- (a) Animals may be kept temporarily in a designated stockyard or farm produce establishment or processing plant while awaiting further transportation or slaughter.
- (b) Animals may be introduced, harbored, kept, cared for, fed, and sheltered in connection with and during parade, county fair or circus events. The animal(s) must remain in proximity and under the control of the owner in regards to where the event is being held.
- (c) Animals may be introduced, harbored, kept, and cared for, fed, and sheltered, within the confines of a licensed pet store or licensed veterinarian business.
- (d) Dogs and household cats are regulated elsewhere under other city ordinances and shall be excluded from Sec. 4-1 through Sec. 4-6.
- (e) The following animals specifically listed under this subsection are allowed. Any person may introduce, permit, harbor, transport, keep, care for, feed, or shelter these animals but only when in compliance with the further restrictions imposed.
 - 1. Fish, reptiles, exotic birds, spiders, rats, mice, hedge hogs, guinea pigs, and hamsters are allowed subject to the following additional restrictions:
 - a. These animals shall remain at and contained within the actual dwelling in which the owner or caretaker resides.
 - b. If a dwelling is rented, permission from the landlord or owner to

maintain animals must be obtained.

- c. Proper care and treatment of the animal(s) are provided.
 - d. There are no restrictions as to the number of these animals kept.
2. Rabbits and pigeons are allowed subject to the following additional restrictions:

Location:

- a. These animals may only be kept in areas zoned R1, R2, AG or Industrial within the city.
- b. These animals must be kept outside the family dwelling.
- c. If the property is rented, permission from the property owner to maintain animals must be obtained.
- d. All shelters or attached fenced enclosures must have a minimum setback of ten (10) feet from the rear property line and ten (10) feet from the side property line.
- e. No structure or fenced animal yard shall be closer than twenty-five (25) feet to any residential dwelling on the adjacent lots.
- f. No structures or fenced animal yards will be allowed in the resident's front yard.

Shelter:

- g. These animals must be provided proper shelter that is fully enclosed with a well-ventilated roof and a source to maintain adequate livable temperatures during extreme heat or cold conditions.
- h. The floors of the structure shall be kept clean and sanitary with body excretions collected daily and removed from the structure.
- i. If a fenced animal yard enclosure is erected, the fenced-in area shall share a common wall of the structure, be securely constructed in a manner complying with all other city fencing ordinances, prevent predators from getting into the fenced area, prevent the animal from escaping the fenced area and be well drained so there is no accumulation of moisture.

Care and Treatment:

- j. No animal shall be allowed outside of either the shelter or properly fenced area.
- k. Food materials shall be in closed sealable containers stored inside the structure of the provided shelter.
- l. Animals shall maintain all required vaccinations.

Number and Type of Animals Allowed with Minimum Square Footage of Each:

- m. Pigeons - No more than thirty (30) pigeons may be kept. Pigeons shall be given a minimum of 1 sq. feet of space for each pigeon.
 - n. Rabbits - No more than six (6) rabbits may be kept. Rabbits shall be given space with a minimum height of 14 inches with 1.5 sq. feet floor space for each rabbit weighing less than 4 lbs. (small), 3 sq. feet floor space for each rabbit weighing 4-8 lbs (medium size); and a minimum of 4 sq. feet floor space for each rabbit weighing more than 11 lbs. (large size).
3. Chickens are allowed subject to the additional restrictions applicable to pigeons and rabbits in subparagraphs (e)(2)(b-1) of this Section, and subject to the following additional restrictions:
- a. Roosters are prohibited in all zoning districts in the City.
 - b. Chickens are prohibited in all zoning districts in the City except the AG or Industrial districts, within which it no more than fifty (50) chickens may be kept.
 - c. Chickens (Bantam size) shall be given a minimum of 2 sq. feet inside structure space for each chicken weighing less than two (2) pounds; (medium size) a minimum of 3.5 sq. feet for each chicken weighing two to four (2-4) pounds; and (large size) a minimum of 5 sq. feet for each chicken weighing more than four (4) pounds.

Secs. 4-7-4-25.- Reserved.

Section 2. This Ordinance shall be effective from and after its adoption and second publication.

Passed by the City Council of the City of Willmar this ____ day of _____, 2012.

ATTEST:

Kevin Halliday, City Clerk

Frank Yanish, Mayor

VOTE: _____ AHMANN _____ ANDERSON _____ CHRISTIANSON
_____ DEBLIECK _____ DOKKEN _____ FAGERLIE _____ JOHNSON _____ REESE

This Ordinance introduced by Council Member: _____

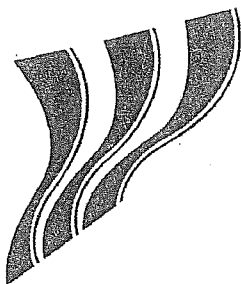
This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____



**CITY OF WILLMAR, MINNESOTA
REQUEST FOR COMMITTEE ACTION**

Agenda Item Number: 12

Meeting Date: August 28, 2012

Attachments: ☒ Yes ☐ No

CITY COUNCIL ACTION

Date: September 18, 2012

☐ Approved ☐ Denied
☐ Amended ☐ Tabled
☐ Other

Originating Department: Engineering

Action Requested: Introduce Illicit Discharge and Connection Ordinance for Hearing

Guiding Principle: City of Willmar's – MS4 Permit

Introduction: A proposed ordinance for illicit discharge to the stormwater system was prepared by the Public Works Director, approved in content by the Public Works/Safety Committee and referred to the City Attorney for further review.

Background/Justification: As part of the City's future compliance with the MS4 Permit, an ordinance related to illicit discharge is required by the MPCA.

Fiscal Impact: N/A

Alternatives: Introduce the Ordinance for hearing
Make revisions to proposed language and refer back to the City Attorney.

Staff Recommendation: None

Reviewed by: Holly Wilson, Public Works Director

Preparer: Janell Sommers, Public Works Secretary

Signature:

Comments:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WILLMAR ADOPTING A NEW CHAPTER 17, SURFACE WATER MANAGEMENT, ARTICLE I, IN GENERAL, AND ARTICLE II, ILLICIT DISCHARGE AND ILLEGAL CONNECTION TO THE CITY'S STORMWATER DRAINAGE SYSTEM

WHEREAS, the City Council proposes to adopt the Illicit Discharge and Illegal Connection Stormwater Ordinance in accordance with actions identified in the City's Stormwater Pollution Prevention Plan and to fulfill requirements of the City's National Pollutant Discharge Elimination System General Permit for Municipal Separate Storm Sewer Systems.

NOW THEREFORE, the City Council of the City of Willmar hereby ordains as follows:

Section 1. The City hereby adopts a new Chapter 17, Surface Water Management as follows:

ARTICLE I. – IN GENERAL

Secs. 17-1—17-25. – Reserved.

ARTICLE II. – ILLICIT DISCHARGE AND ILLEGAL CONNECTION

Sec. 17-26. – Purpose.

(a) The general purpose of this ordinance is to provide for the health, safety, and general welfare of the public through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This ordinance establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the MS4 permit issued to the City by the Minnesota Pollution control Agency (MPCA) under the National Pollutant Discharge Elimination System (NPDES) permit process. The objections of this ordinance are:

- (1) To regulate the contribution of pollutants to the MS4 by storm water discharges by any user;
- (2) To prohibit illicit and illegal connections and discharges to the storm drainage system;
- (3) To establish legal authority to carry out all inspection, surveillance, monitoring, and enforcement procedures necessary to ensure compliance with this ordinance.

Sec. 17-27. – Applicability.

This ordinance shall apply to all water directly or indirectly entering the storm drainage system generated on any developed and undeveloped lands unless explicitly exempted by Section 7 (A) (1) (a – d) of this Ordinance.

Sec. 17-28. – Definitions.

The following words and phrases, when used in this Ordinance, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section.

- (a) *Accidental Discharge* means a discharge prohibited by this ordinance which occurs by chance and without planning or thought prior to occurrence.
- (b) *Best Management Practices (“BMPs”)* means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to storm water, receiving waters, or storm water conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.
- (c) *Clean Water Act* means the Water Pollution Control Act (33 U.S.C. § 1251 *et seq.*), as amended from time to time.
- (d) *Construction Activity* means activities subject to NPDES Construction Permits, generally consisting of construction projects resulting in land disturbance of one acre or more, and including but not limited to such activities as clearing and grubbing, grading, excavating, and demolition.
- (e) *Department* means the City of Willmar Public Works Department or any other part, division, bureau, sub-unit, or branch of the City authorized by the City Council to carry out or enforce any provision of a City Ordinance.
- (f) *EPA* means the United States Environmental Protection Agency.
- (g) *Hazardous Materials* means any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when

improperly treated, stored, transported, disposed of, or otherwise managed.

- (h) *Illicit Discharge* means any direct or indirect non-storm water discharge to the storm drain system, except as exempted in Section 7 of this Ordinance.
- (i) *Illegal Connection* means either of the following:
 - (1) Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, that allows an illicit discharge to enter the storm drain system including but not limited to any conveyances that allow any non-storm water discharge including sewage, process wastewater, or wash water to enter the storm drain system or any connections to the storm drain system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized agency; or
 - (2) Any pipe, open channel, drain or conveyance connected from a commercial or industrial land use to the storm drain system that has not been documented in plans, maps, or equivalent records and approved by the Department.
- (j) *Industrial Activity* means any activity subject to NPDES Permits as defined in 40 CFR, Section 122.26 (b) (14).
- (k) *MPCA* means the Minnesota Pollution Control Agency.
- (l) *Maximum Extent Practicable* means a standard for water quality that applies to all MS4 operators regulated under the NPDES program.
- (m) *Municipal Separate Storm Sewer System ("MS4")* means the system of conveyances (including sidewalks, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned and operated by City and designed or used for collecting or conveying storm water, and that is not used for collecting or conveying sewage.
- (n) *National Pollutant Discharge Elimination System ("NPDES") Storm Water Discharge Permit ("NPDES Permit")* means a permit issued by EPA or the MPCA that regulates the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.
- (o) *Non-Storm Water Discharge* means any discharge to the storm drain system that is not composed entirely of storm water.

(p) *Person* means any human being, any municipality or other governmental or political subdivision or other public agency, any public or private corporation, partnership, firm, association, or other organization, any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing, or any other legal entity.

(q) *Pollutant* means any substance which, when discharged has potential to or does any of the following:

- (1) Interferes with state designated water uses;
- (2) Obstructs or causes damage to Waters of the State;
- (3) Changes water color, odor, or usability as a drinking water source through causes not attributable to natural stream processes affecting surface water or subsurface processes affecting groundwater;
- (4) Adds an unnatural surface film on the water;
- (5) Adversely changes other chemical, biological, thermal, or physical condition, in any surface water or stream channel;
- (6) Degrades the quality of ground water; or
- (7) Harms human life, aquatic life, or terrestrial plant and wildlife.

Pollutant includes but is not limited to dredged soil, solid waste, incinerator residue, garbage, wastewater sludge, chemical waste, biological materials, radioactive materials, rock, sand, dust, paints, varnishes and solvents, cooking grease, detergents, degreasers, industrial waste, sediment, nutrients, toxic substances, pesticides, herbicides, trace metals, automotive fluids, petroleum-based substances, and oxygen-demanding materials.

(r) *Pollute* means the discharge of pollutants into Waters of the State.

(s) *Pollution* means the direct or indirect distribution of pollutants into Waters of the State.

(t) *Premises* means any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

(u) *Storm Drainage System* means publicly-owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets,

piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

(v) *Storm Water* means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

(w) *Storm water Pollution Prevention Plan ("SWPPP")* means a document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to Storm Water, Storm Water Conveyance Systems, and/or Receiving Waters to the Maximum Extent Practicable.

(v) *Wastewater* means any water or other liquid, other than uncontaminated storm water, discharged from a facility.

(w) *Waters of the State* means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State of Minnesota or any portion thereof.

Sec. 17-29. – Administration.

The City shall administer, implement, and enforce the provisions of this ordinance. Any powers granted or duties imposed upon the City may be delegated in writing by the City Administrator to persons or entities acting in the beneficial interest of or in the employ of the City.

Sec. 17-30. – Compatibility with other regulations.

This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

Sec. 17-31. – Ultimate responsibility.

The standards set forth herein and promulgated pursuant to this ordinance are minimum standards; therefore this ordinance does not intend or imply that

compliance by any person will ensue that there will be no contamination, pollution, or unauthorized discharge of pollutants.

Sec. 17-32. – Discharge prohibitions.

(a) Prohibition of Illicit Discharges.

(1) No person shall cause an illicit discharge or otherwise allow an illicit discharge into the storm drainage system, and no person shall throw, drain, or otherwise discharge, cause or allow others under its control to throw, drain or otherwise discharge into the storm drainage system any pollutants or waters containing any pollutants, other than storm water, except as follows:

- a) The following discharges are exempt from discharge prohibitions established by this ordinance: water line flushing, landscape irrigation, diverted stream flows, rising groundwater, uncontaminated groundwater infiltration, uncontaminated pumped groundwater, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, street wash water, de-chlorinated swimming pool water, and any other water source not containing a pollutant.
- (i) For swimming pool discharges, water shall sit seven (7) days without the addition of chlorine to allow for chlorine to evaporate before discharge.
- (ii) Discharge of swimming pools, crawl spaces, sump pumps, footing drains and other sources that may be determined to contain sediment or other forms or pollutants may NOT be discharged directly to a gutter or storm sewer. This discharge must be allowed to flow over a vegetated area to allow filtering of pollutants, evaporation of chemicals and infiltration of water consistent with the storm water requirements of the City.
- b) Discharges or flow from firefighting, and other discharges specified in writing by the City as being necessary to protect public health and safety.
- c) Discharges associated with dye testing; however this activity requires a written notification to the City prior to the time of the test.

d) The prohibition shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the MPCA, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

(2) No person shall throw, deposit, leave, maintain, keep or permit to be thrown, deposited, left, or maintained, in or upon any public or private property, driveway, parking area, street, alley, sidewalk, component of the storm drainage system, or water of the state, any refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that the same may cause or contribute to pollution. Waste deposited in streets in proper receptacles for the purposes of collection are exempted from this prohibition.

(b) Prohibition of Illegal Connections.

- (1) The construction, use, maintenance or continued existence of illegal connections to the storm drain system is prohibited.
- (2) This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (3) A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to the storm drainage system, or allows such a connection to continue.
- (4) Improper connections in violation of this ordinance must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the City.
- (5) Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the City requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be determined, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be

identified. Results of these investigations are to be documented and provided to the City.

Sec. 17-33. – Watercourse protection.

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, yard waste, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

Sec. 17-34. – Industrial or construction activity discharges.

(a) Submission of Notice of Intent (NOI) to the City.

- (1) Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit is required in a form acceptable to the City prior to the allowing of discharges to the storm drainage system.
 - a) Industrial activity includes activities subject to NPDES Industrial Storm Water Permits as defined in 40 CFR, Section 122.26 (b) (14).
 - b) Construction activity includes activities subject to NPDES Construction Permits. These include construction projects resulting in land disturbance of one acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.
- (2) The operator of a facility, including construction sites, required to have an NPDES permit to discharge storm water associated with industrial activity shall submit a copy of the NOI to the City at the same time the operator submits the original NOI to the EPA as applicable.
- (3) The copy of the NOI must be delivered to the City either in person or by mailing it to: Notice of Intent to Discharge Storm Water, City of Willmar Public Works Director, 333 SW 6th Street, Willmar, MN 56201

- (4) A person commits an offense if the person operates a facility that is discharging storm water associated with industrial activity without having submitted a copy of the NOI to do so to the City.

Sec. 17-35. – Prevention, control and reduction of storm water pollutants.

The City will adopt requirements identifying best management practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of storm water, the storm drain system, or waters of the United States. The owner or operator of such activity, operation, or facility shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premise that is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the storm drainage system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this ordinance. These BMPs shall be part of a storm water management plan (SWMP) as necessary for compliance with requirements of the NPDES permit.

Sec. 17-36. – Accidental discharges and spills.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the storm drain system, or waters of the United States, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the City in person or by phone no later than the next business day. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Failure to provide notification of a release as provided above is a violation of this ordinance.

Sec. 17-37. – Right of entry.

- (a) The City, through its public works director or his or her designee, shall be entitled and permitted to enter and inspect properties and facilities at reasonable times subject to regulation under this ordinance as often as may

be necessary to determine compliance with this ordinance. If a property or facility has security measures in force which require proper identification and clearance before entry into its premises, the owner or operator shall make the necessary arrangements to allow access to representatives of the City. Any temporary or permanent obstruction to safe and easy access to the area to be inspected or sampled shall be promptly removed by the discharger at the request of the public works director or other designee and shall not be replaced.

- (b) The owner or operator shall allow the City ready access to all parts of the premises for the purposes of inspection, sampling, visual recording, examination and copying of any records needed to determine compliance with this ordinance that must be maintained in accordance with the ordinance, permit or required by state or federal law.
- (c) Unreasonable delays in allowing the City access to a facility is a violation of this ordinance.
- (d) The public works director or his or her designee may require the discharger to install monitoring equipment or other such devices as are necessary to conduct monitoring and/or sampling of the premises' stormwater discharge. The monitoring equipment must be maintained by the discharger in a safe and proper operating condition at all times. All devices used to measure stormwater flow and quality must be calibrated in order to ensure their accuracy.
- (e) Administrative search warrant. If the public works director or his or her designee has been refused access to any part of the premises from which stormwater is being discharged, and he or she is able to demonstrate probable cause to believe there may be a violation of this article, or that there is a need to inspect, test, examine or sample as part of a routine program designed to verify compliance with this section or any order issued hereunder, or to protect the overall public health, safety and welfare, then the City may seek issuance of an administrative search warrant from any court of competent jurisdiction.

Sec. 17-38. – Enforcement.

- (a) Notice of violation. Whenever the City, through its public works director or his or her designee ("enforcement officer") finds that a violation of this ordinance has occurred, the City may order compliance by providing written notice of violation to the responsible person. Such notice must include the following information:
 - (1) The name and address of the alleged violator;

- (2) The address when available or a description of the building, structure or land upon which the violation is occurring, or has occurred;
 - (3) A statement specifying the nature of the violation;
 - (4) A description of the remedial measures necessary to restore compliance with this article and a time schedule for the completion of such remedial action; and
 - (5) A statement of the actions that will be taken by the City if there is no compliance with the order.
- (b) Remedial measures. The City may order remedial measures including without limitation:
- (1) The performance of monitoring, analyses and reporting;
 - (2) The elimination of illegal connections or illicit discharges;
 - (3) Discharges, practices, or operations in violation of this section to cease and desist;
 - (4) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property; and
 - (5) The implementation of source control or treatment BMPs.
- (b) If abatement of a violation or restoration of affected property is required, the order or notice shall set forth a deadline within which such remediation or restoration must be completed. Said order or notice shall further advise that, should the offending party fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof may be charged to the violator.
- (c) Emergency Cease and Desist Orders. When the City finds that any person has violated, or continues to violate, any provision of this ordinance, or any order issued hereunder, or that the person's past violations are likely to recur, and that the person's violation(s) has (have) caused or contributed to an actual or threatened discharge to the storm drainage system or waters of the state which reasonably appears to present an imminent or substantial endangerment to the health or welfare of persons or to the environment, the City may issue an order to the violator directing it immediately to cease and desist all such violations in lieu of a notice of violation to the violator or other action directing the violator to:
- (1) Immediately comply and stop or eliminate the endangering discharge;

- (2) Take such appropriate preventative action as may be needed to properly address a continuing or threatened violation, including, but not limited to, immediately halting operations or terminating the discharge; and
- (3) Immediately comply with all requirements of this ordinance and other applicable laws and regulations.

In the event of a person's failure to immediately comply with the emergency cease and desist order, the City may take such steps as deemed necessary to prevent or minimize harm to the storm drain system or waters of the state, or endangerment to persons or to the environment, including immediately terminating the facility's water supply, sewer connection, or other municipal utility services. The City may allow the person to recommence the discharge activities when he or she has demonstrated to the satisfaction of the City that the period of endangerment has passed, unless further termination proceedings are initiated against the person under this article. A person that is found by the City to be responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful discharge and the measures taken to prevent any future occurrence to the MPCA within thirty days of receipt of the emergency cease and desist order. Issuance of an emergency cease and desist order shall not be a bar against, or a prerequisite for, the City taking any other action against the violator.

In the event that a violation or suspected violation occurs which constitutes an immediate danger to public health and safety, the City is authorized to, in lieu of an emergency cease and desist order or notice of violation, enter upon the subject property without giving prior notice, to take any and all measures necessary to abate the violation and preserve public health and safety.

(d) Suspension of Storm Drainage System Access.

- (1) The City may, without prior notice, suspend storm drainage system access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the storm drainage system or waters of the state. If the violator fails to comply with a suspension order issued in an emergency, the City may take such steps as necessary to prevent or minimize damage to the storm sewer system or waters of the state, or to minimize danger to persons.
- (2) Any person discharging to the storm drainage system in violation of this ordinance may have their storm drainage system access terminated if such termination would abate or reduce an illicit discharge. Such

suspension may also be imposed if it is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger.

- (e) In the event that the abatement or restoration work is performed by the City, the City may charge the violator for its costs and expenses associated with the work. If the bill received for abatement or restoration is not paid within 30 days, the City may draw the amount of the bill from any financial guarantees or security that the City may be holding or may certify the amount to the county for collection with the property taxes.
- (f) Violation of any provision of this division may be enforced by civil action including an action for injunctive relief and by any administrative penalties approved by the City. In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this ordinance is a threat to public health, safety and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense or a civil action to abate, enjoin or otherwise compel the cessation of such nuisance may be taken.
- (g) Any person, firm or corporation failing to comply with or violating any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor, and each day during which any violation of any of the provisions of this ordinance is committed, continued or permitted, shall constitute a separate offense.
- (h) In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this ordinance is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense; and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

Sec. 17-39. – Appeal.

- (a) Administrative decisions and enforcement actions by City staff may be appealed by the applicant to the City administrator as follows:
 - (1) The appeal must be filed in writing with the City Clerk within ten business days of the date of the decision or enforcement action.
 - (2) The written appeal shall specify in detail the action appealed from, the errors allegedly made by the enforcement officer giving rise to the appeal, a written summary of all oral and written testimony the applicant intends to introduce at the hearing, including the names and addresses of all witnesses the applicant intends to call, copies of all

documents the applicant intends to introduce at the hearing, and the relief requested.

- (3) The enforcement officer shall specify in writing the reasons for the enforcement action, a written summary of all oral and written testimony the enforcement officer intends to introduce at the hearing, including the names and addresses of all witnesses the enforcement officer intends to call, and copies of all documents the enforcement officer intends to introduce at the hearing.
- (4) The City Clerk shall notify the applicant and the enforcement officer by ordinary mail, of the date, time and place for the hearing. The hearing shall be scheduled for a date not less than four or more than 20 days after the filing of the appeal.
- (5) The City Administrator shall hear and render a decision on the appeal after the hearing. The decision shall be in writing and shall state the reasons for the decision. The City Clerk shall notify the applicant and the enforcement officer by mail of the decision.
- (b) The applicant may appeal a decision of the City Administrator to the City Council, by written notice of appeal filed with the City Clerk. Such appeal shall be filed within ten business days of the date of the administrator's decision. The decision of the City Administrator shall remain in effect pending appeal to the City Council, unless otherwise directed by the City Council. The City Council, in its sole discretion, may agree to hear the appeal and make a final decision or may decline to hear the appeal, in which case the decision of the City Administrator shall be final.

Sec. 17-40. – Severability.

The provisions of this ordinance are severable. If any provision of this ordinance or the application of any provision of this ordinance to any circumstance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance, which can be given effect without the invalid provision or application.

Section 2. This ordinance shall be effective from and after its adoption and second publication.

Passed by the City Council of the City of Willmar this ____ day of _____, 2012.

ATTEST:

Kevin Halliday, City Clerk

Frank Yanish, Mayor

VOTE: ____ AHMANN ____ ANDERSON ____ CHRISTIANSON
____ DEBLIECK ____ DOKKEN ____ FAGERLIE ____ JOHNSON ____ REESE

This Ordinance introduced by Council Member: _____

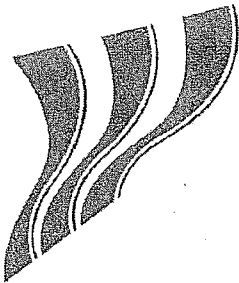
This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____



**CITY OF WILLMAR, MINNESOTA
REQUEST FOR COMMITTEE ACTION**

Agenda Item Number: 1.3

Meeting Date: September 17, 2012

Attachments: X Yes No

CITY COUNCIL ACTION

Date: September 17, 2012

☐ Approved ☐ Denied
☐ Amended ☐ Tabled
☐ Other

Originating Department: City Clerk-Treasurer

Action Requested: Approve Motion to Request a hearing

Guiding Principle: Must be approved by Willmar City Council

Agenda Item: Consideration of Amending Ordinance to the Willmar Charter

Background/Justification:

The Willmar Charter Commission has completed their work on Charter Amendments. Their proposed Ordinance will be presented to the Council by Chairman Shawn Mueske. This Ordinance does not include any changes to Section 2.08 City Administrator, returns the vote for overriding action of the Municipal Utilities Commission and Hospital Board to 5 votes, requires formal adoption of parliamentary rules, and maintains a City Park Board. The Charter Commission will ask the Council to call for a public hearing on the Ordinance detailing their proposed changes (extra West Central Tribune type setting / publication time necessitates a longer time span to hold the hearing).

Fiscal Impact: None

Alternatives: Deny

Staff Recommendation: Approve Motion Calling for a Hearing on October 15, 2012

Preparer: City Clerk-Treasurer

Signature:

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CHARTER
OF THE CITY OF WILLMAR

The Willmar City Council does ordain as follows:

Section 1. Preamble. The Charter is amended by adding the following preamble:

We the people of the City of Willmar, pursuant to the laws of our state, do adopt the Charter in order to secure the benefits of local self-government and we confer upon the City the following powers, subject to the following restrictions, procedures, and governmental structure. We hereby secure the benefits of home rule and thereby affirm the values of representative democracy.

Section 2. Form of Government. The Charter is amended by adding an additional section as follows:

Section 1.03. Form of Government.

The City of Willmar intends to follow the form of government known as the "Weak Mayor-Council" form.

Section 3. Amendment of Section 2.02, Eligibility of Council Members. Section 2.02 of the Charter is amended to read as follows:

Section 2.02. Eligibility of Council members.

Any individual, 21 years of age or older, residing in each Ward shall be eligible to hold the office of Council member for that Ward. ~~For the purpose of this section said individual need not have registered.~~

Section 4. Amendment of Section 2.04, Prohibitions, Incompatible Offices. Section 2.04 of the Charter is amended to read as follows:

Section 2.04. Prohibitions; incompatible offices.

Except where authorized by law or this Charter, a Council members shall not hold any other City office or City employment during the term of office for which they were elected. No Council members or former Council members shall be appointed to or hold any compensated appointive City office or employment which was created or the benefits of which were increased during the term for which they were elected, until the expiration of one year from the expiration of the term to which they were elected. A Council members shall not hold any office which is by law or by this Charter incompatible with the office of Council member and the acceptance of such office shall be a prohibition which shall result in the forfeiture of their office as a Council members.

Section 5. Amendment of Section 2.05, Forfeiture of Office. Section 2.05 Subdivisions 1, 2, 3, 4 and 5 of the Charter are amended to read as follows:

Section 2.05. Forfeiture of office.

Subdivision 1. Grounds of forfeiture. A Council members shall forfeit their office if they

- (A) lack at any time during their term of office any qualification for the office prescribed by this Charter or by law;

- (B) violate any express prohibition of this Charter;
- (C) are convicted of a crime involving moral turpitude;
- (D) fail to attend three (3) consecutive regular meetings of the Council without being excused by the Council;
- (E) fail without good cause to perform any of the duties of office for a period of 90 consecutive days: or
- (F) terminate residency in the city.

A Council members shall not forfeit their office as Council member when the geographic boundaries of his/her Ward are changed so as to change the Ward that they reside in. If a Council members moves their residence to a Ward other than the Ward they were elected in and if there is more than one (1) year left in their term when they move, their terms shall expire on the first Monday after the first Tuesday of the first January immediately following the next general election occurring after their change of residence.

Subdivision 2. Procedure, uncontested. The Mayor, City Attorney or any Council member may make complaint to the Council that any member of the Council has forfeited the right to office. The complaint shall be in writing, shall be verified under oath and shall be filed with the City Clerk. The City Clerk shall cause a copy thereof to be served forthwith, in the manner of the service of a summons in the District Court, upon the charged Council member. If the charged Council members shall not have filed an answer thereto and made a demand for a hearing following the expiration of ten (10) days from the date of service, the City Clerk shall lay before the Council the complaint, evidence of service, and a certificate that no answer and demand for hearing has been received. The Council shall thereupon proceed to consider the matter and shall by resolution make its determination thereon. Its determination shall include specific findings and, if it finds that the Council members have forfeited their office, it shall so state and the grounds on which its decision is based. The office of the Council members shall be vacant upon the filing of the resolution with the City Clerk.

Subdivision 3. Procedure, contested. If the Council members shall answer, the Council shall forthwith at its next regular meeting, set a date for the hearing of the matter, and give notice thereof to the affected Council members by causing a notice of the hearing to be served upon him/her in the manner of the service of a summons in District Court and by publishing the said notice in the official newspaper of the City at least ten (10) days before the said hearing. At the hearing, the Council members shall have the right to appear and be represented by counsel and present witnesses and evidence in their own behalf, but they shall not participate as a members of the Council. After the hearing, the Council shall proceed to consider the matter and to make its decision and findings as provided in Subdivision 2 hereinabove.

Subdivision 4. Appeal. If the Council determines that the office of a Council member shall be forfeited, the Council member shall have the right to appeal to the District Court. The appeal shall be perfected upon the filing of a Notice of Appeal with the Clerk of the District Court and by copy with the City Clerk within twenty (20) days of the filing of the Resolution of the Council with the City Clerk. Upon filing of the copy of Notice of Appeal, the City Clerk shall forthwith certify to the District Court the complete record of the proceedings before the City Council, including a certified copy of the resolution of the Council. The matter in District Court shall be heard by the Court, ~~without a jury~~, and the Court shall have the right to

determine the matter upon the record submitted or at its discretion on the taking of additional evidence.

Subdivision 5. Reasonable attorney's fees chargeable to City, when. If the determination, either by the Council or by the Court, is in favor of the Council members, the reasonable attorney's fees incurred by them a Council member shall be the obligation of the City, and the Council shall appropriate funds for the payment thereof.

Section 6. Amendment of Section 2.06, Vacancies. Section 2.06 is amended to read as follows:

Section 2.06. Vacancies.

Subdivision 1. Determination of vacancy. The office of a Council members shall become vacant upon their death, ~~resignation, removal from office in any manner authorized by law or forfeiture of their office.~~ A vacancy also automatically occurs when an incumbent submits a written resignation to the City Council. The vacancy will be created on the date specified in the written resignation, or if one is not specified, on the date of submittal to the City Council. If the date of submittal is unknown, then the vacancy will occur on the date the City Council receives the written resignation.

A vacancy in an office of Council member also exists in the following situations:

- (A) failure of an elected person to qualify on or before the first Monday after the first Tuesday of January immediately following a general election;
- (B) termination of residency in the city;
- (C) termination of a ward council member's residency in the ward from which elected except when a ward boundary change places a ward council member's residence in a different ward, the council member will continue in office until the next general municipal election, at which time the office must be filled for the remainder of that term;
- (D) continuous absence from the city for more than 90 days;
- (E) conviction of a felony either before or after qualification for office;
- (F) loss of qualifications for the elective office; or
- (G) failure without good cause to perform any of the duties of office for a period of 90 consecutive days.

~~Subdivision 2. Vacancy occurring more than one year before end of term. If the vacancy occurs more than one (1) year before the expiration of the vacant term, it shall be filled by election. On learning of the vacancy, the City Clerk shall certify that fact to the next general or special meeting of the Council, which shall be resolution at said meeting fix the date for the holding of such election, which date shall be fixed so that the election may be held pursuant to the provisions as to elections set forth in this Charter, and as soon as may be permitted thereunder, and the election shall be held pursuant to such provisions. If the election date fixed pursuant hereto should result in a special election being held two (2) months or less prior to the next ensuing general election, the Council, in its discretion, may fix the date of said general election as the date of said election.~~

~~Subdivision 3. Vacancy occurring one year or less prior to end of term. If the vacancy occurs one (1) year or less prior to the expiration of the vacant term, the vacancy shall be filled by appointment. On learning of the vacancy, the City Clerk shall certify that fact to the Council at its next general or special meeting, and the Council shall proceed to fill the vacancy. If the~~

~~Council is unable to agree upon a successor at the general meeting next succeeding that at which said certification of vacancy was made, it shall meet from time to time, at least once each week, until the vacancy is filled. The successor Council member so appointed shall assume office immediately on qualifying and serve for the remainder of the term.~~
(Ord. No. 1027, § 1, 7-15-92)

Subdivision 2. The Council must on its own motion declare by resolution that a vacancy exists when a vacancy occurs for a reason other than death or resignation. If the Council fails to act or is unaware of a vacancy, a resident who is an eligible voter in the city may submit a written verified request with supporting facts to the City Clerk, asking the Council to declare a vacancy. A written verified request submitted within 90 days after another request for the same Council position will not be considered under this section. The Council must act on the written verified request within 21 days after submission to the City Clerk, unless a vote approved by 75% of the Council members present authorizes an additional 21 days. If the Council fails to act within the required time, the Mayor has seven days to act on the written verified request. If the Council and Mayor fail to act within the required time, a vacancy automatically occurs.

Subdivision 3. Within 45 days after a vacancy automatically occurs or is declared to exist, the Council must appoint an eligible person to fill the vacancy or schedule a special election to be held within 90 days.

Subdivision 4. An election to fill a vacancy must be held at the next regular municipal election when:

- (a) the vacancy is declared or automatically occurs before the first day to file affidavits of candidacy for the next regular municipal election; and
- (b) more than two years remain in the unexpired term.

In that case, the appointed Council member will serve until a qualified successor is elected at the special election. The Council member elected will fill the unexpired portion of the term.

Subdivision 5. No special election is required to fill a vacancy when:

- (a) the vacancy is declared or automatically occurs on or after the first day to file affidavits of candidacy for the next regular municipal election; or
- (b) two years or less remain in the unexpired term.

In that case, the appointed Council member will serve until expiration of the position's term.

Subdivision 6. The term of a Council member elected at a special election begins as soon as the election results have been certified and the person has qualified for office. The Council member serves until the expiration of the position's term.

Subdivision 7. For a special election held at a time other than a regular municipal election,

- (a) candidates must file for office no later than four weeks before the election,
- (b) no primary will be held,
- (c) the candidate receiving the highest number of votes is elected, and
- (d) the election must be held on a Tuesday.

Section 7. Amendment of Section 2.09, Independent Audit and Financial Reporting. Section 2.09 of the Charter is amended to read as follows:

Section 2.09. Independent Audit and Financial Reporting.

The Council shall provide for an independent annual audit of all City accounts and may provide for such more frequent audits as it deems necessary. The ~~am~~counts of Rice Memorial Hospital and the Willmar Municipal Utilities ~~Commission~~ shall be audited at least annually. Such audits shall be made by a certified public accountant or firm of such accountants who have no direct interest in the fiscal affairs of the City government or any of its officers. The annual audit of the City, the Willmar Municipal Utilities and Rice Memorial Hospital shall be certified by the accountant preparing the annual audit. Except as provided herein with respect to audits of Rice Memorial Hospital and the Willmar Municipal Utilities, the Council may, without requiring competitive bids, designate such accountant or firm ~~annually or~~ for a period not exceeding three (3) years, provided that the designation for any particular fiscal year shall be made no later than thirty (30) days after the beginning of such fiscal year. If the State makes such an audit, the Council may accept it as satisfying the requirements of this Section. The Rice Memorial Hospital Board and the Willmar Municipal Utilities Commission may select their respective certified public accountant ~~on approval of the City Council.~~ Rice Memorial Hospital and the Willmar Municipal Utilities shall each pay their own audit fees incurred for the audits required by this Section. Copies of each annual audit of Rice Memorial Hospital and the Willmar Municipal Utilities shall be submitted to the Mayor, the City Council and the City Finance Director.

In addition to the annual audits herein provided for, the Willmar Municipal Utilities and the Rice Memorial Hospital Board shall prepare ~~quarterly~~ monthly statements, prepared on an accrual basis, and submit said statements to the City Council, the Mayor and the City Finance Director on or before the twenty-fifth (25th) day of the ~~quarter~~ month following the month for which the statement was prepared. The annual audits of the City, the Willmar Municipal Utilities and the Rice Memorial Hospital shall be submitted to the Mayor, the City Council and the City Finance Director within One Hundred Twenty (120) days of the end of each year. The Willmar Municipal Utilities and the Rice Memorial Hospital Board shall submit financial statements to the City Council on a more frequent basis than is herein provided for when requested to do so by the City Council.

Section 8. Amendment of Section 2.10, Investigations. Section 2.10 of the Charter is amended to read as follows:

Section 2.10. Investigations.

The Council may make audits and investigations into the affairs of the City and the conduct of any City department, office, agency, board or commission and for such purpose may employ such personnel as it deems necessary therefore. It may subpoena witnesses, administer oaths, take testimony and require the production of evidence. Any person who is found, by a court of competent jurisdiction, to have failed or refused, ~~fails or refuses,~~ without lawful excuse, to ~~obey~~ comply with an order of the Council in the exercise of this investigative power shall be guilty of a misdemeanor as defined in the Minnesota Criminal Code.

Section 9. Amendment of Section 2.11, Procedure. Section 2.11 of the Charter is amended to read as follows:

Section 2.11. Procedure.

Subdivision 1. Meetings. On the first Monday after the first Tuesday of each January immediately following a general election, the Council shall meet for its biennial

organizational meeting and the terms of Council members whose terms expire shall terminate at the opening of such meeting. The Council shall meet regularly at least twice in every month at such times and places as the Council shall prescribe by resolution at such biennial organizational meeting. Special meetings may be held on the call of the Mayor or of four (4) or more members of the Council, or by decision of the Council made at a regular or special meeting, upon no less than twelve (12) hours notice to each member. All meetings shall be public.

Subdivision 2. Rules and journal. The Council shall adopt, at the meeting prescribed in Subd. 1, an authorized set of parliamentary rules, ie. "Robert's Rules of Order", "Mason's Manual", Thomas Jefferson's "A Manual of Parliamentary Practice", Alice Sturgis' "Rules of Order", or "Minnesota Mayor's Association Rules of Order for City Councils" ~~its own rules and order of business~~ and shall provide for a journal of its proceedings, which journal shall be a public record. The rules adopted by the City Council are applicable to all Commissions, Boards, and Committees.

Subdivision 3. Voting and quorum. ~~Voting, except on procedural motions, shall be by roll call and the ayes and nays shall be recorded in the journal.~~ Five (5) members of the Council shall constitute a quorum, but a lesser number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the Council.

Section 10. Amendment of Section 2.12, Ordinances and Resolutions. Section 2.12, Subdivisions 1(E), (F) and (G) and Subdivision 2(D) and Subdivision 6 of the Charter are amended to read as follows:

Section 2.12. Ordinances and resolutions.

Subdivision 1. Action requiring an ordinance. In addition to other acts required by law or by specific provisions of this Charter to be done by ordinance, those acts of the Council shall be by ordinance which:

- (E) Regulate the rates charged for its utility services by a ~~public utility~~ the Willmar Municipal Utilities and City of Willmar;
- (F) Authorize the borrowing of money, incurring indebtedness, or authorizing of capital leases;
- (G) Authorize the conveyance of any lands of the City, provided, however, that leases and utility easements be excepted from this provision;

Subdivision 2. Ordinances in general.

- (D) Vote required for adoption of ordinance. Except as provided by law, Ordinances shall require the affirmative votes of five (5) members of the Council for adoption.

Subdivision 6. Special ordinances. Ordinances of limited application such as zoning and annexation ordinances, or of current interest only, or which by their terms will expire within a definite period of time and emergency ordinances shall be classified for purposes of identification and codification as special ordinances and shall not be codified. They shall, however, have the full force and effect of ~~general~~ as all other ordinances, and the City Clerk shall index and record them so that they can be at all times readily inspected by the public.

The City Clerk shall provide copies thereof to the public at a reasonable price fixed by the Council.

Section 11. Amendment of Section 3.01, Chief Executive Officer. Section 3.01 of the Charter is amended to read as follows:

Section 3.01. Chief executive officer.

The Mayor shall be the chief executive of the City with and enjoy the powers given to the Mayor by this Charter and the laws of the state of Minnesota.

Section 12. Amendment of Section 3.02, Election and Qualification. Section 3.02 of the Charter is amended to read as follows:

Section 3.02. Election and qualification.

Residents, 21 years of age or older, of the City shall be eligible to hold the office of the Mayor. For the purposes of this section said resident need not ~~have~~ be registered to vote. The Mayor shall be elected at the regular City election held every even-numbered year by the direct vote of the people for a term of four (4) years to begin on the first Monday after the first Tuesday of the year following the Mayor's election, but the incumbent Mayor shall continue to serve until a new Mayor has been elected and has qualified.

Section 13. Amendment of Section 3.03, Mayor's Messages to the Council. Section 3.03 of the Charter is amended to read as follows:

Section 3.03. Mayor's messages to the Council.

The Mayor shall, at the beginning of each calendar year, and may at other times, give present to the Council the state of the city message, providing information as to the affairs of the City and recommend measures he/she considers necessary and desirable.

Section 14. Amendment of Section 3.04, Powers and Duties. Section 3.04 (C), (D), (E) and (F) of the Charter is amended to read as follows:

Section 3.04. Powers and duties.

~~The Mayor shall see that all the laws and ordinances are enforced and the peace and order of the City are kept. The Mayor shall, in conjunction with the Council, supervise the administration of City affairs. The Mayor shall:~~

- ~~(C) Prepare or cause to be prepared and submit an the Mayor's annual budget and capital improvements program to the Council; and for this purpose all personnel of the City shall furnish to the Mayor such information as requested for the discharge of this duty;~~
- ~~(D) Submit or cause to be submitted to the Council and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year;~~
- ~~(E) Make such other reports as the Council may require concerning the operations of the City departments, offices and agencies, and for this purpose all personnel of the City shall furnish to the Mayor such information as requested for the discharge of the Mayor's duties;~~
- ~~(F) DKeep the Council fully advised as to the financial condition and future needs of the City and make such recommendations to the Council concerning the affairs of the City as the Mayor deems desirable including those recommendations which may be suggested by the City Administrator;~~

(G ~~E~~) Be recognized as the official head of the City for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the Governor of the State for the purposes of martial law;

(H ~~E~~) In instances when the City Council cannot meet, the Mayor shall have the authority to expend public funds, without Council approval, during the time of a natural disaster, riot, civil disorder, enemy attack or any public emergency that affects a substantial number of residents in the City of Willmar.

(Ord. No. 1027, § 1, 7-15-92)

Section 15. Amendment of Section 3.05, Mayor's Power to Veto Legislation. Section 3.05 of the Charter is amended to read as follows:

Section 3.05. Mayor's power to veto legislation.

Within ninety-six ~~(96)~~ hours seven (7) days after the adjournment of any Council meeting the City Clerk shall present to the Mayor the record of proceedings of the meeting and all ordinances ~~and~~ resolutions, ~~and~~ motions adopted at the meeting. The Mayor, within ~~seven (7)~~ four (4) days of receipt of an ordinance or resolution, shall return it to the City Clerk with approval or with veto. If the Mayor does not return said ordinance ~~and~~ resolutions, ~~and~~ motion within ~~seven (7)~~ four (4) days after receipt or returns it without a veto, it shall be considered approved, which fact shall be noted in any publication required thereof. If an ordinance ~~and~~ resolutions, ~~or~~ motion is vetoed, the Mayor shall attach a written statement explaining the reason for the veto. Ordinances ~~and~~ resolutions, ~~or~~ motions vetoed by the Mayor shall be considered at the next regular meeting of the Council, and the Council may pass the ordinance ~~and~~ resolution, ~~or~~ motion over the veto by the affirmative vote of six (6) of its members. In the publication of an ordinance ~~and~~ resolution, ~~or~~ motion passed over the Mayor's veto, the publication shall recite the fact of the veto, and the vote by which the veto was overridden. The Mayor's veto power shall extend to disapproving or reducing individual appropriation items in the budget or any ordinance ~~and~~ resolution, ~~or~~ motion, except appropriations for auditing or investigating any part of the executive branch or for a zoning or land use decision. The Mayor shall not have the power to veto any emergency ordinance, nor any ordinance repealing an emergency ordinance.

Section 16. Amendment of Section 3.07, Prohibitions, Incompatible Offices, Forfeitures of Office. Section 3.07, Subdivision 2 of the Charter is amended to read as follows:

Subdivision 2. Forfeiture of office. The Mayor shall forfeit the office if he/she

- (A) lacks at any time during his/her term of office any qualifications for the office prescribed by this Charter or by law;
- (B) violates any express prohibition of this Charter; or
- (C) is convicted of a crime involving moral turpitude;
- (D) fails to attend three (3) consecutive regular meetings of the Council without being excused by the Council;
- (E) is continuously absent from the city for more than 90 days;
- (F) fails without good cause to perform any of the duties of office for a period of 90 consecutive days; or

(G) terminates his/her residency in the city.

Upon written complaint being filed with the City Clerk alleging that the Mayor has forfeited the right to office and stating the grounds therefore, the Council shall immediately convene and proceed to determine the matter. The procedure for determination, procedure and appeal shall be the same as that provided in Section 2.05 of Article II with respect to a Council member, except that the sessions of the Council shall be presided over by the District Judge or a duly licensed attorney at law appointed by the Judge.

Section 17. Amendment of Section 4.01, General Provisions (Boards and Commissions). Section 4.01 of the Charter is amended to read as follows:

Section 4.01. General provisions.

There shall be established such boards and commissions as are provided in this Article and the Council may establish or activate such other boards and commissions as may be authorized by law. The Council shall have the authority to establish by ordinance such other advisory or administrative boards as it shall from time to time determine and to regulate and control and abolish the same insofar as permitted by law. The Council shall also have the authority to establish by resolution such committees as it may determine, of its own members or otherwise, and to provide for their regulation and control. All boards and commissions shall keep a public record of all its actions, both written and audio recordings and video recordings where practical, and shall transmit to the Council promptly after each meeting true copies of its minutes and of all resolutions adopted by it. Members appointed to boards and commissions established by this Charter shall be appointed as provided in this Charter and otherwise as provided in the ordinance or resolution establishing the board or committee. Members appointed to specific terms shall not be subject to recall or suspension except for cause, and then only upon evidence of malfeasance, misfeasance, or nonfeasance presented at a hearing before the appointing power on notice to the member. If any member of a board or commission fails to attend three (3) consecutive regular meetings of the board or commission, without being excused by the board or commission, the City Council may remove said member by an affirmative vote of five (5) members of the Council. Vacancies shall be filled by the appointing power. With the exception of the licensed physician representing the Hospital Board, members shall be residents of the City and shall serve without pay, except as specifically provided in the Charter, ordinance, or resolution establishing the board, commission or committee. All appointees to boards and commissions shall, before undertaking to serve thereon, file with the City Clerk a written acceptance and oath of office. The required forms shall be available in the City Clerk's office.

Section 18. Amendment of Section 4.02, The Planning Commission. Section 4.02, Subdivisions 1, 3, 4, 5, 7, 9 and 10 of the Charter are amended to read as follows:

Section 4.02. The Planning Commission.

Subdivision 1. Members, qualifications, term. There shall be a City Planning Commission of nine (9) members, appointed for terms of three (3) years in such manner so that the terms of three (3) members expire each year, none of whom shall hold any other office or position in the City government. The Commission shall elect a chairman, vice-chairman and a secretary and such other officers as it shall from time to time determine. The officers shall be members of the Commission, provided that with the approval of the Council, the Commission may hire a recording secretary to keep the minutes and the records of the Commission, and such recording secretary may, but need not be, a member of the

~~Commission.~~ No member shall serve more than two (2) consecutive terms on the Board. The serving of a term of two (2) years or more shall be considered a full term for purposes of the preceding sentence.

Subdivision 3. The Comprehensive Land Use Plan; official map. The Commission shall review the Comprehensive Land Use Plan and the official City map annually, and shall at least once in every three (3) years, make a report to the Council containing any changes or revisions therein. The Commission shall promote public interest in and understanding of said map and plan, of planning, of zoning and of the physical development of the City.

Subdivision 4. Recommended capital improvements. The Commission shall prepare and submit annually to the Council and to the ~~official or agency charged with the duty of submitting the annual budget~~ Rice Memorial Hospital Board and Municipal Utilities Commission where appropriate, a recommended capital improvements report which shall contain recommended capital improvements which in the opinion of the Commission are necessary or desirable in the forthcoming five (5) year period. The report shall include estimated budget requirements for such improvements, and it may contain a priority list and an arrangement of such improvements with respect to the year they are recommended to be begun.

Subdivision 5. Zoning ordinance and codes. The Commission shall review ~~from time to time~~ annually, the zoning ordinance and the codes of the City and shall upon request of the Council make report thereon with respect to proposed revisions and amendments.

Subdivision 7. Powers to secure information and data. The Commission shall have power to require information to be furnished within a reasonable time from applicants and other boards, commissions and officials of the City and shall have the power to enter upon any land and make examinations and surveys as necessary to assist in their decisions.

~~Subdivision 9. Public utilities. No water, power, light, heat, gas or other commonly designated public utility service whether publicly or privately owned shall be constructed, extended, vacated or rerouted until the same shall have been submitted to and approved by the Commission. In the event that the Commission shall affirmatively disapprove the same or shall determine to attach conditions thereon, the action thereon shall be by resolution setting forth its findings with respect thereto and its specific reasons for such disapproval, and a copy of the resolution shall forthwith be sent to the public utility concerned. In the event that the Commission shall have failed to act thereon within a period of sixty (60) days after the same shall have been presented to it, the proposal shall be deemed to have been approved as submitted. The Commission shall have the power and the duty to submit the proposal to other public utilities which may be affected by the proposal. Unless the proposal shall have been originated by the Willmar Municipal Utilities, the secretary of the Planning Commission shall immediately on receipt of the proposal forward a copy of it to that Commission. This subdivision shall not be construed so as to require approval of connections and service lines to individual private properties.~~

Subdivision ~~40~~ 9. Over-riding power of the Council. Any resolution or other action by the Commission may be overruled by the Council by the affirmative votes of five (5) members of the Council at any time within a period of thirty (30) days from the date of the regular Council meeting next following the receipt by the City Clerk of the copy of the motion, resolution or action of the Commission in question.

Section 19. Amendment of Section 4.03, Park and Leisure Services Board. Section 4.03 of the Charter is amended to read as follows:

Section 4.03. Park and Leisure Services Board.

There shall be an advisory board known as the Park and Leisure Services Board of ~~nine (9)~~ six (6) members appointed for terms of three (3) years, and so that the terms of no more than ~~three (3)~~ two (2) members thereof shall expire each year. ~~The Board shall include a representative of the School District as a voting member.~~ The Board shall advise and assist the Council in the development and maintenance of a park and recreation program for the City and its people, including acquisition of land for leisure activities. The Board shall, at the request of the Planning Commission, prepare a five (5) year park and leisure services plan, and shall submit written copies of said plan to the Planning Commission and the City Council. The Board shall have such powers and duties as the Council shall from time to time by ordinance give it. No member shall serve more than two (2) consecutive terms on the Board. The serving of a term of two (2) years or more shall be considered a full term for purposes of the preceding sentence.

Section 20. Amendment of Section 4.04, Rice Memorial Board. Section 4.04, Subdivisions 1, 3 and 5 of the Charter are amended to read as follows:

Section 4.04. Rice Memorial Board.

Subdivision 1: Members, qualifications, term, officers. There shall be a Rice Memorial Hospital Board of seven (7) members appointed for terms of three (3) years, and so the terms of no more than three (3) members thereof shall expire each year, none of whom shall hold any other office or position in the City government. One of the seven (7) members of the Rice Hospital Board shall be a licensed physician authorized to practice at Rice Memorial Hospital and whose primary practice is within the City of Willmar. ~~There shall be a Hospital Board-appointed Advisory Committee representing the Hospital Service Area.~~ The Board shall elect from its membership a Chair, Vice-Chair, Secretary, Treasurer and such other officers as it shall from time to time determine. The Chief of the Medical Staff of Rice Memorial Hospital or a representative appointed from time to time may attend all meetings of the Board and participate therein in a consultative capacity. No member shall serve more than three (3) consecutive terms on the Board. The serving of a term of two (2) years or more shall be considered a full term for purposes of the preceding sentence. After serving three (3) consecutive terms on the Board, a member may again be appointed to the Board when one (1) year has elapsed from the date of expiration of the member's most recent term.

Subdivision 3. Fiscal accounting. ~~The Treasurer of the Board, or a person or persons shall designated by the Treasurer in writing approved by the Board~~ a chief financial officer and who shall be bonded in the amount determined by the Board, and who shall collect all funds received in the operation of the said Hospital and shall deposit the same in a legal depository to the account of the said Hospital. ~~The Treasurer of the Board~~ chief financial officer shall keep, or cause to be kept, a complete set of books and accounts, and make report thereon as required by and to the Board, the Mayor and the Council. All such monies shall be kept and retained in the Hospital account by the Treasurer of the Board chief financial officer ~~and disbursed only upon appropriate orders signed by the Chair~~ chief executive officer ~~and the Treasurer of the Board~~ chief financial officer. All proceeds from the sale of bonds and revenue warrants shall be collected by the City Clerk and deposited in the account(s) of Rice Memorial Hospital, and shall be disbursed only upon appropriate orders of the Rice Memorial Hospital Board. The financial records of the Hospital shall be open to inspection at all times by the Mayor and the Council, and shall be subject to the provisions of Sections 2.09 and 2.10 of Article II.

Subdivision 5. Over-riding power of the Council. The Council shall have the power to overrule by the affirmative vote of at least five (5) members thereof any action of the Board with the exception of personnel appointments, other than the appointment of the Chief Executive Officer at the Council meeting next following the receipt by the City Clerk of the minutes of the Board containing such action. If the Council fails or refuses to overrule such action at the said meeting, the action shall be absolute; provided, however, that if the Council desires to consider the matter further, it may by resolution defer action on the matter for a period not to exceed thirty (30) days or to the next scheduled City Council meeting. No such action shall be deemed to have been presented to the Council unless it shall have included in the minutes of a duly constituted meeting of the Board and the text of any resolution, rule or regulation attached thereto in full. It shall be the duty of the City Clerk to transmit such minutes, resolutions, rules and regulations to the Council at the Council meeting next following receipt thereof.

Section 21. Amendment of Section 4.05, Municipal Utilities Commission. Section 4.05, Subdivision 1, Subdivision 2(E), Subdivision 3 and Subdivision 5 of the Charter are amended to read as follows:

Section 4.05. Municipal Utilities Commission.

Subdivision 1. Members, qualifications, term, officers. There shall be a Municipal Utilities Commission of seven (7) members, appointed for terms of three (3) years, and so that the terms of no more than three (3) members thereof shall expire each year, none of whom shall hold any other office or position in the City government. The Commission shall elect from its membership a Chair, Vice-Chair, Secretary, Treasurer and such other officers as it shall from time to time determine. No member shall serve more than three (3) consecutive terms on the Commission. The serving of a term of two (2) years or more shall be considered a full term for the purposes of the preceding sentence. After serving three (3) consecutive terms on the Commission, a member may again be appointed to the Commission when one (1) year has elapsed from the date of expiration of the member's most recent term.

Subdivision 2. Powers and duties. The Commission shall have, subject to the over-riding power of the Council hereinafter provided, full control of the operation and management of the electric, water and district heating systems of the City and such other utilities as it may acquire; the full power of ownership and control of which in the City is hereby confirmed; and the employment of a General Manager. The Commission shall at the request of the Planning Commission prepare a five (5) year capital improvement budget and shall submit written copies of said budget to the Planning Commission and the City Council. It shall have the power to:

(E) Determine upon the qualifications of the General Manager; ~~However, at all times the Willmar Municipal Utilities shall have a graduate electrical engineer registered under Chapter 326 of Minnesota Statutes on its staff as a full-time employee;~~

Subdivision 3. Fiscal accounting. ~~The Treasurer of the Municipal Utilities Commission, or a person or persons shall designated by the Treasurer in writing approved by the Commission~~ a chief financial officer and who shall be bonded in the amount determined by the Commission, and who shall collect all funds received in the operation of the utilities under the control of the Willmar Municipal Utilities and shall deposit the same in a legal depository to the account of the said Willmar Municipal Utilities. The Treasurer of the Commission chief financial officer shall keep, or cause to be kept, a complete set of books and accounts and make a report thereon as required by and to the Commission, ~~the Mayor and the~~ Council. All such monies shall be kept and retained in the Willmar Municipal Utilities

account by the ~~Treasurer of the Commission~~ chief financial officer and disbursed only upon appropriate orders signed by the ~~Chair~~ chief executive officer and ~~Treasurer of the Commission~~ the chief financial officer. All proceeds from the sale of bonds and revenue warrants shall be collected by the City Clerk and deposited in the account(s) of the Willmar Municipal Utilities, and shall be disbursed only upon appropriate orders of the Municipal Utilities Commission. The financial records of the Willmar Municipal Utilities shall be open to inspection at all times by the Mayor and Council and shall be subject to the provisions of Sections 2.09 and 2.10 of Article II.

Section 22. Amendment of Sections 5.07 and 5.08, Financial Procedures. Section 5.07, Subdivisions 2, 5 and 6, and Section 5.08 of the Charter are amended to read as follows:

Section 5.07. Amendments after adoption.

Subdivision 2. Contingency fund Reserve. The Council shall be authorized to ~~include in the budget~~ have a reserve fund which shall be called a contingency fund reserve in an amount not to exceed ten (10) percent of the current and subsequent budget, excluding such contingency fund reserve. In the event that any appropriation from any other fund shall be, in the judgment of the Council, insufficient to meet the demands of the City with respect to the program or budget item affected and provide for the orderly administration of the City, the Council by a vote of six (6) members thereof may transfer out of the contingency fund reserve to such other fund such sums as it shall determine shall be reasonably necessary to effect the purpose.

Subdivision 5. Emergency appropriations; tax anticipation certificates. To meet a public emergency affecting life, health, property or the public peace, the Council may make emergency appropriations. Such appropriations may be made by emergency ordinance in accordance with the provisions of Subdivision 3 of Section 2.12 of Article II of this Charter. To the extent that there are no available unappropriated revenues to meet such appropriation, the Council may by such emergency ordinance, authorize issuance of tax anticipation certificates in accordance with the provisions of law. Such tax anticipation certificates shall be paid not later than ~~the last day of the fiscal year next~~ two (2) years succeeding that in which the emergency appropriation was made.

Subdivision 6. Limitations; effective date. No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the unencumbered balance thereof. The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.

(Ord. No. 1027, § 1, 7-15-92)

Section 5.08. Lapse of appropriations.

Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if ~~three (3) years pass without any~~ no disbursement or encumbrance of the appropriation is completed by the close of the third fiscal year following the fiscal year in which the funds were appropriated.

(Ord. No. 1027, § 1, 7-15-92)

Section 23. Amendment of Article VI, Nominations and Elections. Article VI of the Charter is repealed in its entirety as follows:

ARTICLE VI. ~~NOMINATIONS AND ELECTIONS~~ Save for Future Reference

~~Section 6.01. Regular municipal election.~~

~~The regular municipal election shall be held on the first Tuesday after the first Monday in November of each even-numbered year.~~

~~(Ord. No. 1027, § 1, 7-15-92)~~

~~Section 6.02. Primary election.~~

~~On the first Tuesday after the second Monday in September preceding any regular municipal election an election of nominees, designated as the "primary election," shall be held for the selection of candidates for all elective offices of the City of Willmar to be filled at said regular election.~~

~~(Ord. No. 1027, § 1, 7-15-92; Ord. No. 1070, § 1, 10-4-95)~~

~~Section 6.03. Special elections.~~

~~The Council may call special elections in the manner provided by law.~~

~~(Ord. No. 1027, § 1, 7-15-92)~~

~~Section 6.04. Conduct of elections.~~

~~All City elections shall be held and conducted and the votes canvassed in the manner provided by law.~~

Section 24. Amendment of Section 7, Initiative, Referendum and Recall. Sections 7.03(b) and 7.05(b) of the Charter are amended to read as follows:

Section 7.03(b). The initiative measure.

Any resolution or ordinance proposed for the initiative shall be set forth in such form as is consistent with the forms of resolutions and ordinances in current use at the time the same is filed and shall conform to the provisions of law, this Charter and any ordinance or resolution governing the formulation of resolutions and ordinances. If the effect of the resolution is to repeal any resolution previously adopted by the Council, it shall identify such resolution and specify the amendment or repeal thereof or any part thereof affected. Proposals for ordinances shall be formulated in accordance with the provisions of Section 2.12 of Article II of this Charter.

Section 7.05(b). The recall measure.

The committee seeking the recall of any official elected under the provisions of this Charter shall formulate in clear and concise language a statement, not more than two hundred fifty (250) words, of its reasons for proposing the recall and which shall state that it intends to bring about his/her recall. The statement must clearly set out the alleged malfeasance or nonfeasance of the officeholder being proposed for recall.

Section 25. Amendment of Section 9.01, Procedure for Vacating Streets, Utility Easements, and Public Grounds. Section 9.01, Subdivision 4 of the Charter is amended to read as follows:

Subdivision 4. Proceedings on initiation by property owners. ~~A property owner desiring to vacate any street, alley, road, highway, parkway, public ground or utility easement shall cause to be prepared, in triplicate, a petition therefor, which petition shall describe the area sought to be vacated and shall have attached thereto a map of the area proposed to be vacated and of the area extending out therefrom in all directions a distance of six hundred (600) feet and a list of the property owners within the said total area, together with their addresses and the legal descriptions of the property owned by~~

~~each of such owners. The petition shall be signed by a majority of the owners of land or by the owners of a majority of the land, measured in feet fronting on the easement, abutting on the street, alley, road, highway, parkway or public ground, or in, on or through which the utility easement exists, and it shall be verified by one of them. For the purposes of determining the validity of the petition, multiple owners of a tract shall be considered as one owner and all such multiple owners of a tract must sign the petition to be counted as a signer. The petition shall be filed with the City Clerk, who together with the City Attorney and the City Engineer shall determine its validity. Upon determination of its validity and at the next regular or special meeting of the Council, the Clerk shall transmit the same to the Council, which shall by motion refer the same in duplicate to the Planning Commission, and the Planning Commission shall consider the same in the manner and within the time provided in proceedings initiated by the Council.~~

- (A) Municipal Utilities Commission and City of Willmar specific use easements to-wit: those easements acquired for electric distribution/transmission, water mains, sanitary sewer lines, storm sewer lines, and district heating lines. Proceedings by property owner to vacate an easement in total or in part. Anyone desiring to vacate all or any portion of a specific use easement being used by the Municipal Utilities Commission to provide a utility service shall prepare, in triplicate, a petition requesting the vacation, which petition shall describe the area sought to be vacated and shall have attached thereto a map of the area proposed to be vacated. The petition shall be signed by all of the owners of the land subject to the easement sought to be vacated. The petition shall be filed with the Municipal Utilities Commission General Manager, who together with the City Attorney shall determine its validity. Upon determination of its validity, at the next regular meeting of the Municipal Utilities Commission, the General Manager shall present the petition. Upon approval of the Municipal Utilities Commission, the petition shall be forwarded to the City Council. The Council shall at its next regular meeting consider the petition. If the Council determines to proceed, it shall adopt a resolution approving the vacation request. The City Clerk shall prepare and file a certified copy of the Resolution in the office of the Kandiyohi County Recorder. A request for vacation of a specific use easement being used by the City of Willmar to provide a utility service shall be initiated in the same manner except the petition shall be filed with the City Clerk who shall forward the petition to the City Engineer and City Attorney. Upon approval of the petition by the City Engineer and City Attorney the petition shall be forwarded to the Public Works/Public Safety Committee. After consideration by the committee, the petition shall be forwarded to the City Council for approval. The costs incurred by the Municipal Utilities Commission and City of Willmar to review a petition and record a resolution shall be paid by the petitioner.
- (B) Proceedings by property owner to vacate a street, alley, road, highway, parkway or public ground. Anyone desiring to vacate any street, alley, road, highway, parkway or public ground shall cause to be prepared, in triplicate, a petition therefor, which petition shall describe the area sought to be vacated and shall have attached thereto a map of the area proposed to be vacated and of the area extending out therefrom in all directions a distance of six hundred (600) feet and a list of the property owners within the said total area, together with their addresses and the legal descriptions of the property owned by each of such owners. The petition shall be signed by a majority of the owners of land or by the owners of a majority of the land, measured in feet fronting the easement, abutting on the street, alley, road, highway, parkway or public ground, and it shall be

verified by one of them. For the purposes of determining the validity of the petition, multiple owners of a tract shall be considered as one owner and all such multiple owners of a tract must sign the petition to be counted as a signer. The petition shall be filed with the City Clerk, who together with the City Attorney and the City Engineer shall determine its validity. Upon determination of the validity and at the next regular or special meeting of the Council, the Clerk shall transmit the same to the Council, which shall by motion refer the same in duplicate to the Planning Commission, and the Planning Commission shall consider the same in the manner and within the time provided in proceedings initiated by the Council.

Section 26. Amendment of Section 9.03, Prohibitions (Activities Prohibited). Section 9.03 of the Charter is amended to read as follows:

Section 9.03. Prohibitions.

The following activities shall be prohibited:

- (A) No person shall be appointed to or removed from, or in any way favored or discriminated against with respect to any City position or appointive position because of race, sex, political or religious opinions or affiliations, or other protected class.
- (B) No person shall willfully make any false statement, certificate, mark, rating or report in regard to any test, certification or appointment under the provisions of this Charter, or the rules and regulations made thereunder, or in any manner commit or attempt to commit any fraud preventing the impartial execution of such provisions, rules and regulations.
- (C) No person who seeks appointment or promotion with respect to any City position or appointive position shall directly or indirectly give, render or pay any money, service or other valuable thing to any person for or in connection with their test, appointment, proposed appointment, promotion or proposed promotion.

Any person who by himself/herself or with others has been found, by a court of competent jurisdiction, willfully to have violated any of the provisions of this section shall be guilty of a misdemeanor as defined in the Minnesota Criminal Code.

Any person who is found, by a court of competent jurisdiction, to have failed or refused, fails or refuses without lawful excuse, to obey comply with an order of the Council in the exercise of this investigative power shall be guilty of a misdemeanor as defined in the Minnesota Criminal Code.

Section 27. Amendment of Section 9.04, Oath of Office. Section 9.04 of the Charter is amended to read as follows:

Section 9.04. Oath of office.

Every Council member, elected or appointed official, and board and commission member shall, before entering upon the duties of their office take and subscribe an oath of office in the following form: "I do solemnly swear (or affirm) that I will support the Constitutions of the United States and of the state of Minnesota, and the Willmar City Charter and that I will discharge faithfully the duties of the office of the City of Willmar to the best of my judgment and ability."

This Ordinance shall be effective 90 days after its adoption and second publication.

This Ordinance introduced by Councilman _____

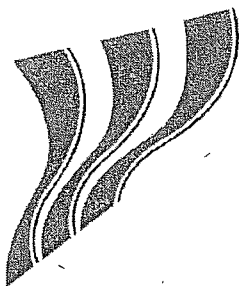
This Ordinance introduced on _____

This Ordinance published on _____

This Ordinance given a hearing on _____

This Ordinance adopted on _____

This Ordinance published on _____



CITY OF WILLMAR, MINNESOTA
REQUEST FOR COMMITTEE ACTION

Agenda Item Number: 14

Meeting Date: September 17, 2012

Attachments: Yes No

CITY COUNCIL ACTION

Date: _____

☐ Approved ☐ Denied
☐ Amended ☐ Tabled
☐ Other

Originating Department: Planning and Development
Services

Action Requested: Valley View Court Second Addition Final Plat Approval

Guiding Principle: Subdivision Ordinance

Introduction: The applicant Anjali Dahiya requested to subdivide a single lot into two to build a twin home at 207 Valley View Dr. SE.

Background/Justification: Valley View Court is a planned unit development with a private street and all the homes in the development except for one are twin homes. The lot was approved for a single family home in 2000 and an amendment to the conditional use permit to allow a twin home on the property was approved by the Planning Commission as well. All easements and conditions of final plat approval have been met and approved by the Planning Commission.

Fiscal Impact: N/A

Alternatives: N/A

Staff Recommendation: Staff recommends approval of the final plat.

Reviewed by: Bruce D. Peterson, AICP, Director of Planning and Development Services

Preparer: Megan M. Sauer, AICP, Planner/Airport
Manager

Signature: _____

Megan M. Sauer

Comments: